

**Consolidation of Public Inputs into Reforms for National Leadership Forum and Second National Multi-Stakeholder
Plenaries:**

Main Report of the Public Service Reforms

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Background

With support from UNDP, SADC, UN Peacebuilding Fund and other stakeholders, the Kingdom of Lesotho has for some time engaged various stakeholders in a dialogue on how to get past the era of conflict and instability and place the country on a trajectory of unity, peace, prosperity and self-sustained development. One immediate pay-off of the peace-building effort is the identification of 7 (seven) critical areas in which sustained reforms are deemed critical to the attainment of the underlying objectives. The thematic areas are:

- Constitutional Reforms;
- Parliamentary Reforms;
- Justice Reforms;
- Security Reforms;
- Public Service Reforms;
- Economic Reforms; and
- Media Reforms.

Another quick-win of the National Dialogue and Stabilization Project is the emerging consensus which is concisely captured in policy statements as well as in a document titled *The Lesotho We Want: Dialogue and Reforms for National Transformation - Vision Overview and Roadmap (the Roadmap)*.

To follow up on the issues raised on public service reforms during the first round of the dialogue process, one international consultant, Professor M J Balogun, was recruited to work with two national experts, Dr John Dzimba, and Mr Tumisang Ranthimo.

Terms of Reference

The Public Service Reforms Team is of the view that regardless of the theme to be addressed, the international consultants and their Lesotho counterparts are expected to function under the supervision of the Executive Secretary, National Dialogue Planning Committee, and fulfill their contractual obligations to their principals, the UNDP in the case of the International Consultants and the NDPC, as regards those locally recruited. The international and the national experts assigned to the public service reforms slot are specifically required to:

- (i) Review all relevant background documents produced so far relating to the reforms process in Lesotho, that is, documents having direct or indirect bearing on public service reforms;
 - (ii) Classify the proposals and recommendations arising from Plenary I's written submissions and in-district consultations into short-term, medium-term, and long-term actions (this entails disaggregating Plenary I's insights and recommendations into short-, medium- and long-term public service reform priorities, strategies and actionable plans);
 - (iii) Synthesise issues emanating from Plenary I, written submissions and in-district consultations for the NDPC to present before the Multi-Stakeholder National Dialogue Plenary II (in other words, the written submissions and in-district consultations should be presented in a concise format, a format enabling the NDPC to structure and optimize Plenary II deliberations);
 - (iv) Consolidate the public service reform proposals and recommendations made by Basotho into executable programmatic plans covering administrative, regulatory, policy, legal, constitutional, process and institutional recommendations to be implemented;
 - (v) Classify the proposals into what the structure that will succeed NDPC needs to do to implement the key public service reform recommendations, while at the same time, attaining the immediate consensus- and peace-building, as well as the long-term development, objectives;
 - (vi) Develop a consolidated presentation covering an overview of the above for the National Dialogue Planning Committee to present before the National leaders' Forum and National Multi-Stakeholder Plenary II (this envisages the production of two outputs, one, an Abstract/Executive Summary/an Overview meant for the National Leaders' Forum, and the other, a comprehensive report to be tabled at the Multi-Stakeholder Forum Plenary II);
 - (vii) Produce a comprehensive report and deliver this to the NDPC Secretariat at the end of the assignment (this is self-explanatory).
- :

The key activities and modalities for carrying them out

The following activities will be undertaken as required under the project terms of reference:

- Review of secondary material (collation, tabulation, and analysis of Plenary I documents, including reports of in-district consultations);
- Identification of Plenary I's short-, medium- and long-term proposals and recommendations having bearing on the public service, and public service reforms;

- Synthesis of Plenary I issues, proposals and recommendations on the public service and public service reform, followed by the preparation of a reader-friendly and actionable report for presentation to Multi-Stakeholder National Dialogue Plenary II;
- Translation of the home-grown, Basotho-dictated proposals and recommendations into *core elements and strategies of public service reform*, paying particular attention to the administrative, technical, organizational, legal, policy, institutional, and constitutional changes warranted by the planned reforms, as well as how roadblocks on the path of change could be anticipated and neutralized;
- Identification of public service reform issues that could, in the interim, be disposed off without triggering needless fallout, as against the core and recurring elements of reform that ought to receive the attention of the successor to the NDPC;
- Production of an Abstract and an omnibus report both tentatively titled, *A Shared/Consolidated Vision of Public Service Reform Priorities and Strategies for National Stability and Transformation*. The National Dialogue Planning Committee will lay the former before the National leaders' Forum and present the latter to National Multi-Stakeholder Plenary II;
- Submission of an end-of-mission report to the NDPC Secretariat.

Method of proceeding

The Team began by reaching an understanding on:

- (a) the project's scope, deliverables, and deadlines (including how the key outputs should captioned or identified);
- (b) Collation and analysis of data from secondary sources (Plenary I and related documents);
- (c) Conduct of follow-up focus group or personal interviews (if warranted by the need for clarification);
- (d) Report writing (with the overall editorial and quality-control responsibility lying with the international expert);
- (e) Production of two key outputs (overview and all-inclusive reports).

Matching national with supranational visions

While the international consultant brought the benefits of global good practices in public service reform to the table, none of these substituted for Lesotho's vision of what is best for the country. At every turn, the three consultants ensured that they were guided by the expressed will of the Basotho, rather than by external ideals that have little or no bearing on local reality and aspirations.

Executive Summary

Summary of findings

0.1 Lesotho's unique circumstances call for effective response on the part of the public service. At the very least, these circumstances make it absolutely necessary for the public service to acquire and optimally deploy extraordinary capacities, among them policy analytic, human, financial and resource management, and performance improvement capacities.

0.2 Yet, the public service cannot make any headway in any of the preceding areas until it is about to find solutions to certain problems, notably:

- (a) The widening service delivery gaps
- (b) Over-centralization of operations and decision-making authority
- (c) The devastating impact of politicization and the patronage system
- (d) Ethics and accountability deficits
- (e) Restricted access to information and blockages to transparency
- (f) Absence of a framework to hold agencies and their employees accountable for the delivery of measurable outcomes and to exfoliate non-performing entities and individuals and, above all,
- (g) Lack of national consensus on abiding governance and public administration values and principles.

0.3 Reform is clearly the answer to the public service's problems. However, experience to date indicates that no determined effort has been made to design, implement and sustain the change needed to surmount ongoing challenges and proffer solutions to new ones. Service delivery quality, for one, remains low, thanks to the failure to inculcate "customer-care" attitudes in public employees and to establish mechanisms for determining and meeting "customer" preferences. Decision-making authority is still centralized and government operations are concentrated at the centre with little regard for the client's geographical location and minimal linkage to local government.

0.4 *If truth be told, and while career officials are not totally blameless, the political class must accept major responsibility for the current state of the public service.* Instead of forging a consensus on a professional, well-motivated, highly trained, and citizen-serving public service, the political leaders have passed up no opportunity to turn the service into a partisan tool. Regardless of the name by which it is called, politicization is a corruption of, and/or frontal attack on, due process. It is also a direct violation of the Commonwealth's political values and principles, especially, that of inclusiveness.

0.5 Probably because of undue politicization, ethical and accountability breaches are on the rise, oversight institutions have been weakened, decisions have been less transparent than they ought to be, public officials have not been held accountable for the delivery of specific outcomes, non-performing officials have been left in their posts and sometimes promoted to higher ones, service delivery agents have not availed themselves of the opportunities offered by advances in ICT to serve the citizen better, and staff training has been neglected.

Recommendations

Service Delivery

0.6 Eliminating the root causes of mediocrity in the delivery of service requires that the following measures be undertaken, *in the short- to medium-term*, by the National Reform Authority, the Ministry of Public Service, all line Ministries and Parastatals, and the Cabinet:

- (a) *Under the supervision of the National Reform Authority*, review and strengthening of the performance management system, and enhancement of the capacity of the Monitoring Unit;
- (b) With the active participation of citizen-customers, the formulation of service delivery indicators (e.g., clarification of eligibility for service, ease of access, dependability, timeliness/promptness, reliability, predictability, transparency, continuity, affordability, service delivery agents' courtesy, layout of service perimeter, adequacy of hosting facilities etc.);
- (c) Process re-engineering and simplification;
- (d) Drafting of Service Pledges or Service Charters, and prominent display of same at or within service perimeters);
- (e) Training of service delivery agents in customer care attitudes and techniques;
- (f) Review of public service incentive structure and system;
- (g) Attitude change (including the interdiction of unethical behaviour, and incorporation of ethics in training curricula);
- (h) Rigorous enforcement of performance review guidelines, and inclusion of projected service delivery standards in performance contracts and the supporting review instruments);
- (i) Periodic conduct of beneficiary surveys under the auspices of the Performance Monitoring Unit which should be quickly established;
- (j) Prompt fault rectification or timely response to grievances;
- (k) Adoption and application of the highest principles of service, notably, *Batho pele*, equality of access, inclusiveness, merit, accountability and transparency.

Decentralization

0.7 In order to bring service to the doorstep of the average citizen, it is recommended that both the Cabinet and the Ministry for Local Government institute the following short- to medium-term measures aimed, *inter alia*, at:

- (a) ensuring prompt and undiluted implementation of the existing legislation;
- (b) Compiling the list of functions to be devolved or transferred to local government;
- (c) Developing guidelines for implementing and monitoring the newly decentralized functions;
- (d) Facilitating the implementation of the revived decentralized functions by transferring resources to the local level, and by introducing tailor-made training and capacity building programmes;
- (e) Activating the Council Monitoring and Evaluation system.

Eliminating politicization and the patronage system

0.8 The following *medium-term* measures should be adopted to roll back the politicization of the public service and eliminate the patronage system:

- (a) The recruitment of Public Service Commissioners and other statutory offices should be on merit, and not by party affiliation;
- (b) The Chair, Members, and Staff of the Public Service Commission should be trained to discharge their responsibilities effectively;
- (c) Other state organs must assist and protect the Commission to ensure its independence, impartiality, and effectiveness;
- (d) No person or organ of state should interfere with the functioning of the Commission;
- (e) Government vacancies should be deemed to be “owned” by the citizens as a common national heritage;
- (f) All vacant statutory and public service positions must be widely advertised, and every qualified citizen of Lesotho should be eligible for full and fair consideration for appointment;
- (g) Panels of experts should be constituted from time to time to supervise and implement modalities for open and competitive recruitment of candidates;
- (h) The Public Service Commission, assisted by Panels of Experts, should apply Psychometric Competencies Assessment Centre methodology in separating qualified from non-qualified candidates;
- (i) The Public Service commission should include people with disabilities;
- (j) The Assessment Centre must operate independently as a professional arm of the Public Service Commission; and
- (k) For statutory positions, the PSC’s recommendations should be forwarded to the appropriate Parliamentary Committee for onward transmission to the Prime Minister who will advise the King accordingly; and
- (l) The appointment of Foreign Service personnel should be on merit.

Narrowing ethics and accountability deficits

0.9 Considering the significance of ethics in the quest for good governance, rapid economic growth, and long-term sustainable development, it is recommended that:

- (a) The enunciation and ratification of abiding governance values and principles be placed firmly at the top of the National Leaders’ Forum’s and Plenary II’s agenda;
- (b) The principles and values that both the Leaders’ Forum and Plenary II should seek a broad measure of consensus on include respect for the rule of law, accountability, integrity, inclusiveness, zero-tolerance of corruption, professionalism, impartiality, and quality, citizen-centred, service;
- (c) Cabinet, with the support of the Ministry of Law and Constitutional Affairs, the Ministry of Public Service, and Parliament, institute measures aimed at establishing the office of Public Protector or Ethics Commissioner, a Revenue Mobilization and Rationalization Commission, Human Rights Commission, and at strengthening the capacity of existing watchdog bodies (e.g., the Auditor-General, the Ombudsman, the Public Service Commission, and the Directorate on Corruption and Economic Offences);
- (d) Government promulgate a policy of zero-tolerance of corruption and take a firm stand on cases of misconduct brought to its attention;
- (e) All line Ministries, and Parastatals uphold the good image of government and restore public confidence in the public service by interdicting and discouraging all forms of corruption (including but not limited to offer or acceptance of bribes and gratifications, sexual harassment, failure to declare assets, false declaration, conflict of interest, nepotism, over-invoicing, budget padding, and disregard of due process).

Transparency in government and assets declaration

0.10 In realization of the critical role that transparency plays in maintaining high standards of service delivery and discouraging fraudulent conduct, it is recommended that:

- (a) The Ministry of Law and Constitutional Affairs, in collaboration with civic actors, draft a Freedom of Information Bill for enactment into law;
- (b) Government institute measures aimed at ensuring unimpeded implementation of the law and unrestricted access to information;
- (c) Public servants be barred from engaging in business, tendering for government contracts, or acting in any manner that might bring government into disrepute or lower the esteem of the public service;
- (d) Government establish a Code of Conduct Office that is duly empowered to enforce extant rules and regulations on assets declaration, cross-check entries on assets declaration forms, demand explanations for declarations which raise red flags, and prosecute, before a Code of Conduct Tribunal, those guilty of false declaration;
- (e) In line with extant privacy laws, the Government shield the contents of properly filled assets declaration forms from public view;
- (f) The Ministry of Law and Constitutional initiate whatever legal or constitutional amendments are needed to achieve the foregoing objectives; and
- (g) Section 4 the Official secrets Act of 1967, Section 3 (2) (i) the Public Service Acts of 2005, and Printing and Publishing Act 10 of 1967 be reviewed with a view to aligning their provisions with the imperatives of transparency.

Performance contracting, monitoring & evaluation

0.11 The methodology to apply comprises the following steps:

- (a) Articulation of the country's long-term development aspirations and objectives;
- (b) Translation of the strategic objectives into Ministerial medium-term plans;
- (c) Negotiation (between the Prime Minister and each Minister or Agency Head) of the outcomes expected to be achieved annually during the medium term, as well as the rights and obligations of the parties to the compact;
- (d) Design of performance contracts and insertion of negotiated delivery targets in the instruments;
- (e) Ratification and execution of the performance contracts;
- (f) Migration from line-item to performance or Results-Based Budgeting;
- (g) Review of job descriptions and performance appraisal instruments to accommodate the new performance commitments (this requires drawing up, within each agency, performance contracts which cascade from the top to the bottom);
- (h) Review of personnel regulations, paying attention to the replacement of permanent with performance-tied fixed term contracts;
- (i) Design of online and offline performance monitoring and evaluation system (complete with a dashboard that enables the Performance Monitoring Unit to pick progress or setbacks in delivery plans);
- (j) Conduct of annual beneficiary surveys, to solicit the citizen-customers' opinions on the performance, professionalism, ethical standing, and impact of each Ministry of agency of government during the performance reporting period;

(k) Introduction of new incentives systems, including recognitions and awards for excellence in corporate and individual performance.

Leveraging advances in ICT for improved service delivery

0.12 The Government should, as a matter of urgency, upgrade the existing ICT infrastructure to facilitate its application to service delivery and other essential operations.

Filling public service competency gaps

0.13 In view of the importance of training to the effective implementation of programmes and the attainment of the government's development objectives, it is recommended that:

- (a) Attendance at LIPAM's tailor-made, and career-related training programmes be made mandatory for various classes of public servants;
- (b) LIPAM be equipped with the resources it needs to serve as the centre of excellence in public service training, a centre that combines the conduct of training programmes with applied research and consulting in leadership and decision-making, application of management techniques in government, strategic management, public service operations, change management, restructuring and reorganization, ethics and accountability, attitude change and behaviour modification;
- (c) LIPAM, from time to time, carry out training needs assessment surveys and apply the results to its programming and intervention activities;
- (d) LIPAM develop instruments for monitoring the impact of its training programmes on public service performance;
- (e) Government review the current training and staff development policy, with the aim of ensuring the implementation of career-based training programmes and the patronage of domestic institutions;
- (f) Government implement its earlier directive on the transfer of the following training institutions to the Ministry of Education: National Health Training College, Lesotho Agricultural College, Lesotho Institute of Public Administration and Management, as per the Education Act on Council on Higher Education;
- (g) LIPAM and similarly placed institutions become autonomous like the Institute of Development Management, Centre for Accounting Studies, Lesotho College of Education, Lerotholi Polytechnic;
- (h) To ensure cross-fertilization of ideas, LIPAM be mandated to run market-driven training courses targeted at public and private sector participants.

Reform Implementation Strategy

0.14 Successful implementation of public service reforms in Lesotho requires, at the minimum:

- Forging a national consensus on new, citizen-centred, *Batho pele*, governance and public administration principles;

- Transforming a politicized public service into a genuinely professional, ethical, merit-based, and results-oriented institution;
- Inculcating a new service delivery culture in all cadres of the public service;
- Strengthening watchdog and accountability institutions;
- Entrenching accountability and transparency via performance contracting, monitoring and evaluation;
- Enhancing the professionalism of the public service through the implementation of a comprehensive training and capacity development programme; and
- Leveraging latest advances in ICT for improved service delivery.

I. THE PUBLIC SERVICE AND THE DEVELOPMENT OF THE KINGDOM OF LESOTHO: THE CONTEXT

The Kingdom of Lesotho became an independent and sovereign member of the Commonwealth in October 1966. Since then, it has encountered and weathered many challenges. The public service, as will soon become clear, was and remains one of the institutions that played critical roles at various stages in the nation's evolution. In any case, explaining the fates of reforms warrants interrogating and understanding the context in which they were designed and implemented.

Political environment

2. The Kingdom is ethnically and culturally homogeneous, with Sesotho as the national language, and Christianity as the dominant religion. Founded about 200 years ago by King Moshoeshoe I, the Kingdom is a constitutional monarchy. As the Head of State, the King appoints the Prime Minister, who is the Head of Government. The Kingdom's history has, until recently, been marked by political upheavals. It has witnessed three coup d'etats (in 1970, 1986, and 1994). It has also traversed at least five stages which could be characterised as those of political development and retrogression. The notable stages are:

- Embryonic democracy—1966 to 1970
- De facto one-party rule—1970 to 1986
- Military dictatorship—1986-1993
- Fragile, unstable, democracy—1993-2002
- Relatively stable, multi-party, democracy.

3. The first multi-party election took place a year before independence. It was contested by four political parties, notably, the Basotho National Party (BNP), the Basutoland Congress Party (BCP), the Marematlou Freedom Party (MFP), and the Marema Tlou Party (MTP). The BNP won the 1965 election with a razor-thin margin (garnering 42 percent of the votes, and 31 out of 60 parliamentary seats). Even then, the system managed to coast along until 1970 when Leabuoia Jonathan seized power and ruled unelected for sixteen years. This (along with the subsequent military era) was marked by egregious human rights violations.

4. The four dominant parties of the pre-coup era have since splintered into factions. Today, no less than 20 (twenty) political parties are represented in Parliament.

Topography

5. The “Kingdom in the Sky”, as it is popularly referred to, is entirely landlocked and is completely surrounded by the Republic of South Africa (RSA). The Kingdom is a largely mountainous country, lying over 1,400 metres (4,593 feet) above sea level. The total land area is approximately 30,350km². One quarter of the land is in the lowlands, while the remainder is spread over foothills and highlands. The lowest point is 1,400 metres. As it so happens, and notwithstanding the momentous challenges posed to effective public administration, over 80 percent of the country lies above 1,800 (5,900 feet).

Currency and Economy

6. The national currency is the Loti (plural, Maloti), which is pegged at 1:1 with the South African Rand.

7. Although one of the least developed countries (LDCs), Lesotho achieved a real annual average gross domestic product (GDP) growth rate of 4.2% between 1980 and 2002. GDP growth reached M7.5billion (approximately US\$1billion) in 2006 and increased to US\$2.76billion US dollars in 2018. The country has generated close to \$24 million annually from the sale of electricity and water to South Africa. Lesotho’s population of 2.2 million, grows at an average of 2.4 percent per annum, and the literate but largely unskilled labour force represents the main national resource. HIV and AIDS constitute one single threat to the health and survival of a large segment of the population. The capacity to bring both under control is a major indicator of public service performance.

8. Lesotho has limited natural resource endowments. Economic growth hinges largely on the Kingdom’s membership and participation in activities of the Southern African Customs Union (SACU), the Common Monetary Area (CMA) and the Southern African Development Community (SADC).

9. As part of a regional economy, it depends substantially on remittances from migrant labour. In the 1970s approximately 125,000 Basotho worked in the South African mining industry, and a further 25,000 in other industries. As a result, almost half of GNI was generated from remittances from these migrant workers. The number of mine workers remained at that level until 1990, but there has been a sustained decline in employment in the mining sector. Consequently, only 60,000 Basotho miners presently work in South Africa. Since the fall of apartheid, the pattern of migration has changed, so that today it is not only men that work in South Africa but, increasingly, women of all ages. According to a 2001 Lesotho Demographic Survey, 14 percent of men and 4 percent of women over the age of 15 worked in South Africa, which is equivalent to approximately 120,000 people¹. Today, half that number of migrants is employed. In contrast, the manufacturing sector in Lesotho has grown rapidly. Today, the manufacturing sector employs over 50,000 workers, most of who are women, in the textile industry, although at wage levels significantly lower than those of the miners. However, this growth is also under threat, as increased globalisation has meant that Lesotho, like other producers of textiles for the American markets, is rapidly losing her market share to Asian giants such as China and India.

10. The macro-economic policy formulated in recent years has contributed, in large measure, to strong economic growth. The climate for foreign direct investment (FDI) has markedly improved, due to various initiatives such as the Africa Growth Opportunity Act (AGOA), SACU, and the SADC Protocol on Trade. The Kingdom stands to gain from the newly ratified Africa Continental Free Trade Agreement if the public service, with the support of the political and business leaders, succeeds in crafting and implementing sound fiscal and macro-economic policies. Meanwhile, the economy has diversified from subsistence agriculture to manufacturing, making Lesotho the largest exporter, in sub-Saharan Africa, of textiles to markets in the United States of America.

¹ Bureau of Statistics (BoS), *Lesotho Demographic Survey, Volume 1*, BoS, Maseru, 2003.

11. The country has signed and ratified several multilateral Environmental Agreements to address national concerns such as land degradation, environmental pollution and climate change; conditions which must be managed and sustained for the maintenance of a healthy environment.

12. According to the World Bank Report (1999), the country's real per capita GDP in 1997, measured in purchasing power parity, was US\$2,420, placing Lesotho amongst the world's 50 lowest income countries. Lesotho ranks 145th out of 177 countries on the Human Development Index². The index includes socio-economic indicators such as education, literacy levels, life expectancy, etc, along with the traditional measure of GDP, to provide a broader picture of the country's development situation.

13. From 1998 to 2002, GDP measured in current market prices grew by an annual average of 11.2 percent. In real terms, GDP declined by 4.6 percent in 1998, but there has subsequently been a gradual increase in the annual growth rate, from 0.2 percent in 1999 to 1.3 percent in 2000, 3.2 percent in 2001 and a provisional figure of 3.8 percent in 2002. In the same period, gross national income (GNI) increased in nominal terms by an annual average of 10.0 percent, but in real terms it has fallen by 1.2 percent per annum. In nominal terms, GNI per capita³ fell to M3,060 in 1998, but it has risen each subsequent year, reaching a provisional value of M4,196 in 2002. However, when expressed in US dollars (using an annualised average exchange rate), there has been a dramatic decline from US\$667 in 1997 to only US\$403 in 2002. It is thus not surprising that poverty levels in Lesotho have remained high despite the relatively strong GDP growth rate registered during this period.

Employment crisis

14. Unemployment, especially, youth unemployment is a ticking timebomb that needs to be quickly but systematically defused. Officially, the unemployment rate is 24.3 percent, but the proportion of people without any form of wage employment is considerably higher. There is a strong correlation between unemployment and poverty. This is not surprising, as Lesotho has a harsh and erratic climate, with rugged terrain and poor soils, all of which make even the traditionally practised subsistence agriculture a risky enterprise. For this and other reasons, for generations the most secure form of earnings for Basotho has been migrant labour in South Africa.

15. Tourism has been identified as a sector with good potential to contribute towards the sustainable economic growth of Lesotho. Promotion of this sector for local participation is essential, as one of the engines of future growth. The recent revival of mining of precious stones, particularly diamonds, and the increased mining of the country's sandstone, may lead to high performance in this sector in the future.

16. The Lesotho Highlands Water Project (LHWP), managed by the Lesotho Highlands Development Authority (LHDA), is a large international project aimed at helping Lesotho to better manage its abundant water resources. The unique Katse Dam, and the Mohale and 'Muela Hydro-Electric Dams, form part of the successful first phase of the project; the LHWP is currently undertaking feasibility studies of the proposed second phase. Several projects to provide potable water to rural and peri-urban communities are also in place, many under the auspices of the African Development Bank and the local Ministry of Water. The 'Muela Hydro dam will enable Lesotho to cheaply produce its own electricity, increasing access by communities in hitherto un-serviced areas. The Metolong Dam was strategic in strengthening the water to industrial and domestic consumption, with the capacity of supplying the water to Free State Province. The income derived from the controlled transfer of water to South Africa for domestic and industrial use in the Gauteng province has enabled the government to fund a range of development projects, including irrigation schemes in the lowland areas of the country.

Rising public spending

² Human Development Report 2004, the United Nations Development Programme (UNDP).

³ GNI per capita is a more accurate indicator of household income than GDP per capita as it factors in income from abroad.

17. Public spending rose from 45 percent of GDP in 2004/05 to approximately 63 percent in FY2013/14. 83 percent of national budget in 2014/15 went to government consumption, particularly public service wages, which spiked to about 23 percent of GDP. These figures are among the highest in the world and represent a significant challenge to fiscal consolidation efforts. The revenues of the government, as earlier noted, depends largely on revenue from the SACU, a highly uncertain source. SACU earnings in fact fell from 30 percent of GDP in 2014/15 to 25 percent of GDP in 2015/16.

18. High public spending has unfortunately not translated into better human development outcomes. Lesotho's health and education sectors' performance lags far behind countries in with the same level of income. Lesotho has the world's second highest HIV/AIDS prevalence, at 23.6 percent, and a level of maternal mortality that is among the highest in Sub-Saharan Africa.

Implications for public service capacities

19. Lesotho's unique circumstances call for effective response on the part of the public service. At the very least, these circumstances make it imperative for the public service to acquire and optimally deploy extraordinary capacities, among which are the capacities to:

- (a) Analyse socio-economic policy with a view to promoting fiscal and macro-economic stability as well as peace and tranquillity;
- (b) Institute measures aimed anticipating, as well as coping with, threats to security;
- (c) Proffer sound, but impartial, politically non-partial, advice on wide-ranging subjects;
- (d) Manage limited human, financial, material, and information resources efficiently;
- (e) Install and operate mechanisms for effective, accountable, responsible, incorruptible, and transparent discharge of its obligations;
- (f) Serve the citizen and other eligible service beneficiaries without regard to the citizen-customer's political affiliation, gender, social status, or physical condition;
- (g) As the state's memory, provide archiving and information management services;
- (h) Explore and apply innovative solutions to increasingly difficult challenges, notably, HIV/AIDs, youth unemployment, declining agricultural productivity; and environmental degradation;
- (i) Mentor and develop new entrants into the public service, while at the same time implementing sound career development policies;
- (j) Reposition the Kingdom of Lesotho for the challenges of regionalization and globalization.

20. The next section discusses how successful the public service has been in discharging the preceding obligations.

II. THE PUBLIC SERVICE OF LESOTHO: STRUCTURE, PERFORMANCE SCORE-CARD AND DOMINANT CHALLENGES

Structure and Composition of the Public Service

21. The public service is the omnibus term that covers different types of publicly funded agencies, notably:

- The Civil Service
- Teaching Service
- Judiciary Service
- Police Service
- Defence Force
- The National Security Service
- The Foreign Service and
- A wide array of statutory bodies and state-owned enterprises

22. Each agency's internal structure is determined by its mandate and by convention. The civil service, for instance, is organized hierarchically, with each lower office reporting to a higher one. The civil service, as a whole, is under the supervision the Government Secretary who doubles as the Head of the Civil Service. Each Ministry is headed by a Principal Secretary, assisted by heads of key departments, directors and other lower-level officers.

23. The Judiciary, by contrast, is headed by the Chief Justice who oversees the activities of the following hierarchy of courts:

- Appellant Court
- High Court
- Commercial Court
- Magistrate Courts
- Subordinate Courts
- Labour Court
- Appellant Labour Court (which is on the same pedestal as the High Court) and
- Local (Customary) Courts

24. A network of court registries supports the courts' operations with the provision of archiving and record-keeping, human and financial resource management, and ancillary logistics services.

25. The Head of the career wing of Parliament is the Clerk who supervises various classes of personnel attached to the legislature.

Grading structure

26. The civil service is bottom-heavy, with personnel at the lowest grades constituting the majority, and middle management and technical support staff in short supply. This affects the quality and performance of public service. The civil service is organized according to grades ranging from A (lowest) to L (highest). As a World Bank study reveals, 57 percent of civil servants (Grade A-D) are classified as low-skilled professionals who completed high school. 25 percent of civil servants or 3,883 out of 15,707 are concentrated in Grade A alone.

27. In addition, there seems to be many temporary supporting staff--such as cleaners, handymen, plumbers, carpenters, etc.--directly hired by each line ministry with their operational budget, of which the number is unknown. Although the wage bill for the low grades constitutes only 22 percent and there are no perfect models of structure for civil service, more mid-management and technical staff who provide substantive and technical work, facilitate decision-making and ensure policy implementation will be needed; this preponderance of A-level personnel largely affects the quality and performance of public service.

Performance Issues

28. If the opinions expressed as part of the ongoing national dialogue process are anything to go by, the public service of Lesotho still has a long way to go to meet the expectations of the public and earn the latter's trust. If it is not berated for shoddy delivery of service, it is rebuked for turning a blind eye on corruption, conflict of interest and other ethical indiscretions. Instead of working proactively to proffer solutions to daunting challenges (like the Aids pandemic, youth unemployment, climate change and food shortage), the public service wrings its hands as the challenges fester sufficiently to become intractable. The service is unable to attract and retain the competent staff it needs in its ranks due to low remuneration and lack of incentives.

29. However, while highlighting the wrongs that the public service of Lesotho needs to set right, it is necessary to make allowance for the environment in which it operates. As the participants in the dialogue on reforms duly acknowledged, the public service operates in a highly politicized environment, one in which public service jobs are liable to be viewed, not as an opportunity to provide quality service but as a reward either for political loyalty or for having the privilege of being connected to someone that matters. Thus, the public service might need *technical knowhow* to tackle current and unfolding challenges effectively, but it is "technical know whom" which gets a job seeker's foot in the door and gives him/her a reasonable assurance of being appointed.

Critical Challenges

30. If the public service is to discharge its statutory responsibilities effectively and efficiently, sustained efforts must be made to find solutions to the following recurring challenges:

- (a) Service delivery gaps
- (b) Over-centralization
- (c) The devastating impact of politicization and the patronage system
- (d) Ethics and accountability deficits
- (e) Restricted access to information and blockages to transparency
- (f) Lack of a framework or mechanism for holding agencies and their staff to specific deliverables (absence of performance contracting, monitoring and evaluation)

- (g) Youth unemployment crisis and inadequate policy response
- (h) Under-developed state of electronic connectivity and minimal application of ICT to service delivery
- (i) Training and career development lapses and, above all,
- (j) Lack of national consensus on abiding governance and public administration values and principles (like adherence to the rule of law, inclusiveness, political impartiality, open-competitive recruitment).

III. PAST REFORM EFFORTS: A BRIEF ASSESSMENT

31. Contemporary global good practices in public service reform incorporate the demands of the citizen high importance in the design, implementation, monitoring and evaluation of the process. More than at any other time, therefore, it is important to place the citizen at the centre of the reform process.

32. The *Batho pele* idea has its origin in Lesotho. However, while it informed the reform of the South African public service in the 1990s and early years of 2000, it is new to Lesotho. The practice, up to now, has been for the Kingdom's public service to introduce reforms on its own initiative, or on the instructions of Government leaders, and, as to be expected, to implement them half-heartedly, if at all.

33. The impetus for reform in Lesotho was largely a mixture of pressure for accountability, improved service delivery, attainment of public policy goals and better management of government's resources and assets. The primary aim of public service reform is good governance, defined as adherence to the rule of law, respect for human rights, fiscal and macro-economic stability, and improved access to public goods.

34. In Lesotho's case, the Principal drivers of public sector reform were:

- ◆ Deteriorating fiscal position (attributed to poor management of resources);
- ◆ Service delivery shortfalls;
- ◆ Political parties' and the voters' growing interest in public service performance (as reflected in the issues raised at election time);
- ◆ Growing dissatisfaction with public service performance.;
- ◆ Globalization challenges and the need to respond to them.

Previous attempts at reform

35. Among the projects undertaken in response to the aforementioned challenges are:

- (a) Civil Service Management Improvement (CSMIP) and
- (b) Strengthening the Lesotho Institute of Public Administration (LIPA) (through the introduction of the Management Development Programme for senior civil servants).

The Government also received substantial technical assistance support from the UNDP and other international organizations in areas of planning, auditing, financial management, accounting, revenue collection, statistics, population, employment, education, health, and agriculture.

36. The MDP recorded a few notable results in training senior civil servants. In all, a total of 480 top civil servants were trained under the programme. The programme also provided in-house training for the staff of the Management Services Unit (MSU). It established the Personal Management Information System (PMIS) in the Ministry of Public Service to support the civil service record keeping efforts. MDP's only drawback was its failure to accommodate the interest of women who constituted roughly 56 percent of the civil service work force. Leaving the majority untouched, the MDP could not have had any serious impact on the way civil service operated.

37. Anyway, there were other factors which were beyond the scope of MDP and which hindered the attainment of the objective of the reforms. Among these are:

- (i) Lack of high-level support for reform
- (ii) High rate of staff turnover
- (iii) Low remuneration and lack of incentives
- (iv) Frequent change of government during the implementation of the programme
- (v) Lack of implementation strategy

Civil Service Management Improvement Programme (CSMIP)

38. The strategy applied by CSMIP was not different from that of the MDP. Suffice it to add that the programme was not implemented as it was designed. For example, neither the Management Service Unit strengthening, nor the Job classification component, was undertaken. The donors terminated the programme at the end of 1992, a year before its due date. One reason for this withdrawal was that there was no change in the way government operated, since the recommendations were never implemented. There was no clear commitment by government to support administrative reforms. The few reform components that were started were haphazardly implemented.

Economic Structural Adjustment Programme

39. The major limitation of ESAP was its failure to take the local context into account and incorporate that context in its design. This was not surprising as it was externally imposed rather than authored by the Basotho. The political instability of the 1970s and the 1980s contributed to an increase of government expenditure. It was estimated that government expended twenty percent of current expenditure to pay for the instability. Yet, ESAP proceeded as if everything was normal.

40. Also, the retrenchment of officers on grades 1-7 could not make any impact. Instead it aggravated the country's social problem.

Problem of implementation and training

41. Another problem which might have contributed to inadequate implementation of reform was lack of trained personnel to initiate and co-ordinate the reforms. The Management Services Unit was supposed to be responsible for coordinating the reforms, but it was understaffed and lacked qualified personnel. The few who were trained were transferred to other ministries and deployed to positions that had no bearing on reform.

Renewed Political commitment

42. It is gratifying to note that the current level of political commitment to reform is very high. This is demonstrated by the involvement of various actors (government leaders, political parties, the private sector, the donor community, and civil society) in matters pertaining to reform. The prevailing political conditions are also conducive to the design and implementation of reforms. Nonetheless, the issues to be addressed remain salient and alive. The next section focuses on one of them, service delivery.

IV. SERVICE DELIVERY SHORTFALLS

43. Poor service delivery is a lingering challenge. The explanation for this lies probably in the absence of client-oriented performance indicators, dysfunctional and badly organized service perimeters, lengthy and cumbersome procedures, opaque definition of eligibility, apathy and indifference on the part of service delivery agents, and, and weak monitoring and evaluation mechanisms.

44. Service delivery quality is particularly apt to be sabotaged by low morale and lack of incentives within the public service. The situation is such that service delivery agents would sooner spend their working time chatting on cell phones than attending to the customer promptly and courteously.

45. There is also the persistent resistance to the implementation of the Performance Management System introduced years ago. Civil servants fill performance appraisal forms only when they are anxious to be confirmed or on promotion.

Short- to medium-term reform priorities

46. Eliminating the root causes of mediocrity in the delivery of service requires that the following measures be undertaken, in the short- to medium-term, by the Ministry of Public Service, all line Ministries and Parastatals, and the Cabinet:

- (a) Under the supervision of the National Reform Authority, review and strengthening of the performance management system, and enhancement of the capacity of the Monitoring Unit;
- (b) With the active participation of citizen-customers, the formulation of service delivery indicators (e.g., clarification of eligibility for service, ease of access, dependability, timeliness/promptness, reliability, predictability, transparency, continuity, affordability, service delivery agents' courtesy, layout of service perimeter, adequacy of hosting facilities etc.);
- (c) Process re-engineering and simplification;
- (d) Drafting of Service Pledges or Service Charters, and prominent display of same at or within service perimeters);
- (e) Training of service delivery agents in customer care attitudes and techniques;
- (f) Review of public service incentive structure and system;
- (g) Attitude change (including the interdiction of unethical behaviour, and incorporation of ethics in training curricula);
- (h) Rigorous enforcement of performance review guidelines, and inclusion of projected service delivery standards in performance contracts and the supporting review instruments);
- (i) Periodic conduct of beneficiary surveys under the auspices of the Performance Monitoring Unit which should be quickly established;
- (j) Prompt fault rectification or timely response to grievances.

47. As a long-term measure, the public service must also:

- Move towards a proactive, service-oriented mode of operation;
- Respect all classes of service beneficiaries;
- Provide for the special needs of the disabled;
- Set output, quality, cost, and time standards for different aspects of its operations;
- Embrace and constantly apply the highest principles of service, notably, *Batho pele*, equality of access, inclusiveness, merit, accountability and transparency.

48. Above all, Lesotho should ratify convention 151 (Public Service Relations Convention) allowing representatives of recognized public employees should to have access to facilities enabling them to carry out their functions promptly and efficiently. With the exception of those providing essential or emergency services, public employees should be free to organize as members of trade unions and go on strike. The Ministry of Public Service and the Ministry of Labour and Employment should follow this up.

Findings and Recommendations

49. To eliminate the root causes of mediocrity in the delivery of service, it is recommended, in the short- to medium-term, the Ministry of Public Service, all line Ministries and Parastatals, and the Cabinet jointly undertake the following reforms:

- (a) Review and strengthening of the performance management system, along with the National Reform Authority, and the Monitoring Unit;
- (b) With the active participation of citizen-customers, the formulation of service delivery indicators (e.g., clarification of eligibility for service, ease of access, dependability, timeliness/promptness, reliability, predictability, transparency, continuity, affordability, service delivery agents' courtesy, layout of service perimeter, adequacy of hosting facilities etc.);
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V. DECONCENTRATION AND REVITALIZATION OF LOCAL-LEVEL INSTITUTIONS

51. One major barrier to effective service delivery is the excessive centralization. Government services are by and large concentrated in the capital, with no clear operational linkages with local government

52. It is not as if there is no legislation on this very subject. Decentralization has for long been a fundamental policy of government. However, for reasons that are still not clear, implementation remains a problem.

53. In light of the foregoing observation, it is recommended that both the Cabinet and the Ministry for Local Government institute measures aimed at:

- (a) ensuring prompt and undiluted implementation of the existing legislation;
- (b) strengthening the resolve of the centre to decentralize to the periphery;
- (c) enhancing the capacity of lower-level institutions to discharge their statutory responsibilities and perform functions that the centre may subsequently assign to them;
- (d) Compiling the list of functions to be devolved or transferred to local government;
- (e) Developing guidelines for implementing and monitoring the newly decentralized functions;
- (f) Facilitating the implementation of the revived decentralized functions by transferring resources to the local level, and by introducing tailor-made training and capacity building programmes;
- (g) Activating the Council Monitoring and Evaluation system.

VI. IMPACT OF POLITICIZATION AND THE PATRONAGE SYSTEM ON PUBLIC SERVICE PERFORMANCE

54. As noted earlier, the public service of Lesotho operates within a highly politicized environment. Politicization takes various forms, notably, the insistence that professionalism must give way to personal or political loyalty at the decision-making stage, the tendency to distrust public officers who prefer to do things by the book, suspicion of the motives of sticklers for the rules, and the practice of bartering government vacancies for political support. Favouring one's relatives in filling public vacancies, a practice that is otherwise known as nepotism, is another form of politicization. Regardless of the name by which it is called, politicization is a corruption of, and/or frontal attack on, due process. It is also a direct violation of the Commonwealth's political values and principles, especially, that of inclusiveness.

55. Statutory positions are especially vulnerable to politicization. Thus, party affiliation matters in filling top vacancies, especially, those of Government Secretary, Principal Secretary, Commissioners, and Director of a key government agency. These are positions appointment to which are made by the King on the recommendation of the Prime Minister. The chairpersons or members of parastatals are appointed by the Prime Minister on the recommendation of supervising Ministry's political head, the Minister.

The Role of the Public Service Commission

56. The Public Service Commission remains, after the enactment of a new Public Service Act (2005), the regulatory body of the government in the appointment and termination of employment contracts of public servants. This mandate excludes matters of discipline. Under the new legislation, the Commission, as a neutral body, does not interfere in reform matters. It is therefore unable to influence the movement of the public service away from patronage or spoils to the merit system. It should also be remembered that the posts of the Chair and Members of the Commission fall within the patronage net.

57. The increasingly complex challenges that the public service is expected to handle dictate that due attention be paid to the selection of candidates for top and middle management positions in the service. In specific terms, the government needs to consider replacing the existing spoils system with one that is anchored on merit and open competition. Accordingly, the following medium-term measures should be adopted:

- (a) The recruitment of Public Service Commissioners and other statutory offices should be on merit, and not by party affiliation;
- (b) The Chair, Members, and Staff of the Public Service Commission should be trained to discharge their responsibilities effectively;
- (c) Other state organs must assist and protect the Commission to ensure its independence, impartiality, and effectiveness;
- (d) No person or organ of state should interfere with the functioning of the Commission;
- (e) Government vacancies should be deemed to be "owned" by the citizens as a whole;
- (f) All vacant statutory and public service positions must be widely advertised, and every qualified citizen of Lesotho should be eligible for full and fair consideration for appointment;
- (g) Panels of experts should be constituted from time to time to supervise and implement modalities for open and competitive recruitment of candidates;
- (h) The Public Service Commission, assisted by Panels of Experts, should apply Psychometric Competencies Assessment Centre methodology in separating qualified from non-qualified candidates;
- (i) The Public Service commission should include people with disabilities;
- (j) The Assessment Centre must operate independently as a professional arm of the Public Service Commission; and
- (k) For statutory positions, the PSC's recommendations should be forwarded to the appropriate Parliamentary Committee for onward transmission to the Prime Minister who will advise the King accordingly.

58. The Foreign Service is itself long-over due for the embrace of merit in the recruitment of top diplomats. In this regard, it is recommended that the appointment of candidates to positions such as those of High Commissioner, Ambassador, and Permanent Representative be made on merit. This will entail the Ministry for Foreign Affairs working with the Parliamentary Committee on Foreign Affairs and International Relations to compile lists of eligible candidates for onward transmission to the Prime Minister who will, in turn, recommend to the King as appropriate.

59. The preceding recommendations have substantial legal and constitutional implications. It is therefore expected that the Ministry of Law and Constitutional Affairs will work closely with the Ministry of Public Service, the Ministry of Foreign Affairs, the Public Service Commission and Parliament in following up the proposed changes.

60. In implementing the recommendations, the various parties will take due cognizance of the provisions of the 2005 Public Service Act, and 2008 the Public Service Regulations.

VII. ETHICS AND ACCOUNTABILITY DEFICITS

61. The public service not only acts as the backbone of the state in implementing a nation's economic growth strategy, but also runs the programmes that function as the safety net for the most vulnerable segments of a society. Given these crucial roles, a country expects its public service to demonstrate high ethical and professional standards.

62. Scandals involving public officials within African public service have captured world attention these days. Shocked by growing revelations about shady privatization deals, diversion of aid, widespread public sector patronage, crony capitalism, politicisation of the career service, poor service delivery, and campaign financing abuses, citizens of various countries are openly talking about corruption. Does this then mean that public officials are being held to higher moral standards than others? Is corruption not a crime many are guilty of?

63. Government officials cannot but be held to high ethical and moral standards. As custodians of public resources, they have a special obligation, the obligation to live up to the trust that citizen's place in them. In return for public trust, they are required to place the interest of the public above their own.

Endemic corruption in the public institutions

64. While, in comparison to many African countries, public service corruption has not reached an alarming level in Lesotho, the number of cases brought to public attention must give the country pause. Public officials tender for contracts alongside private bidder, thus raising the question of conflict of interest. Other ethical lapses are regularly reported in newspapers.

Weakness of watchdog institutions

65. Making matters worse is the non-existence of the office of Public Protector. A Directorate on Corruption and Economic Crimes exists but it is not clear how effective it is in combatting corruption. The remaining watchdog institutions (among them, the Auditor-General, the Ombudsman, and the Public Service Commission) have not been able to coordinate their anti-corruption efforts. The mandate of the Council for Higher Education is strictly speaking, not to watch out for corrupt elements in the public service. However, to the extent that it is expected to oversee education standards and perform quality control functions, it can be regarded as a watchdog body. Like its counterparts, it should be equipped with the resources it needs to discharge its responsibilities.

66. It is not only in the fight against corruption that watchdog bodies are lacking. A watchdog institution is needed to control public spending and reduce the rising cost of governance. Currently, Members of Parliament get interest-free loans, and determine the own salaries and benefits. Both practices have the potential of inflating the cost of governance.

67. In line with the recommendation on the creation of the office of *Public Protector, the office of Ethics Commissioner*, the Government should consider establishing a high-powered Commission (say, a *Commission on Revenue Mobilization and Rationalization*) to keep an eye on the remuneration of political and statutory office holders, and the civil service, as well as maintaining a tight control on public spending.

68. The imprecise mandate of the Cabinet Office makes it especially vulnerable to politicization. It also hampers the Office's capacity to operate effectively.

69. Effective performance of the Cabinet Office's statutory functions therefore requires that it be restructured. Its mandate and, in particular, its strategic leadership role in the policy process, needs to be clarified.

70. The foregoing proposals have momentous legal and constitutional implications. The needed constitutional amendment must therefore be spearheaded by the Cabinet, with the cooperation of the Ministry of Law and Constitutional Affairs, and Parliament.

Lack of consensus on abiding governance principles

71. No serious headway in the quest for clean government is possible in the absence of a national consensus on certain abiding governance values. Among those that are critical to the success and long-term sustainability of ongoing and future reforms are respect for the rule of law, accountability, and inclusiveness, zero-tolerance of corruption, professionalism, impartiality, and quality, citizen-centred, service. Accordingly, both the National Leaders' Forum and Plenary II should place the enunciation and ratification of these values and principles at the top of their agenda.

Key findings and recommendations

72. Considering the significance of clean government in the quest for good governance, rapid economic growth, and long-term sustainable development, it is recommended that:

- (a) The enunciation and ratification of abiding governance values and principles be placed at the top of the National Leaders' Forum's and Plenary II's agenda;
- (b) The principles and values that both the Leaders' Forum and Plenary II should seek a broad measure of consensus on include respect for the rule of law, accountability, integrity, inclusiveness, zero-tolerance of corruption, professionalism, impartiality, quality-, citizen-centred, service, and the implementation of performance management system;
- (c) Cabinet, with the support of the Ministry of Law and Constitutional Affairs, the Ministry of Public Service, and Parliament, institute measures aimed at establishing the office of *Public Protector, Ethics Commissioner, a Revenue Mobilization and Rationalization Commission, Human Rights Commission*, and at strengthening the capacity of existing watchdog bodies (e.g., the *Auditor-General, the Ombudsman, the Public Service Commission, and the Directorate on Corruption and Economic Offences*);
- (d) Government promulgate a policy of zero-tolerance of corruption and take a firm stand on cases of misconduct brought to its attention;

- (e) All line Ministries, and Parastatals uphold the good image of government and restore public confidence in the public service by interdicting and discouraging all forms of corruption (including but not limited to offer or acceptance of bribes and gratifications, sexual harassment, failure to declare assets, false declaration, conflict of interest, nepotism, over-invoicing, budget padding, and disregard of due process).

VIII. TRANSPARENCY CHALLENGES

73. Bureaucracies worldwide are known for their secretiveness. As closed systems whose power lies in the control of information, bureaucratic institutions are wont to label every decision or subject "secret" "top secret", and "confidential". Even documents which are not meant for the superiors' "eyes only" are liable to be kept from public view. And when nosy men and women from the press badger officials for details of government action on a subject, the officials are apt to be evasive.

74. Yet, transparency is crucial to the effective working of government and to the maintenance of the highest service delivery standards. Information hoarding promotes "black market" and racketeering operations in public places, opens the door to bribery and corruption, and slows down the pace of work. Corruption thrives in the shadow of darkness. Only transparency can provide the illumination needed to detect patterns in wrongdoing.

75. Access to information is particularly needed to contest arbitrary decisions. While it will be asking too much to ask tenders' boards to reveal the quotations of firms competing for government contract, it is not totally out of place to raise questions if contracts are always and unfailingly awarded to the same bidder.

76. As a matter of fact, questions have been raised about the propriety of civil servants bidding for contracts to whose design they or their colleagues are privy. These are salient questions of "insider trading", conflict of interest, and abuse of office. As it so happens, the questions will go unanswered indefinitely unless and until a Freedom of Information bill is passed into law and citizens are given the right to call for and inspect hitherto "classified" documents.

77. Transparency is particularly critical to the maintenance of high service delivery standards. Even before the "citizen-customer" enters an office or comes anywhere near a service perimeter, s/he should have adequate information on eligibility for a particular type of service, the rules governing access to the service, the procedure that the service delivery agents or their superiors have put in place, the order of service or the queue discipline required to get served, and the conditions that apply before and after the service has been rendered (e.g., possession of up-to-date tax clearance certificate).

78. It must also be noted that in designing service charters, the expectations of the internal and external customers ought to be explicitly stated and the information displayed where everyone can see what to expect.

79. Asset declaration is a mechanism that has been adopted by a number of countries to monitor the sources and flow of public officials' income, thereby promoting the cause of transparency. The idea is that public office is public trust. Whoever accepts to serve the public has an obligation to show that s/he is not serving himself and is not using public facility to pile up unearned riches.

80. Political office holders in Lesotho have been under intense pressure lately to declare their assets. While some have complied with the extant rules on assets declaration, others have resisted the pressure to come clean on their holdings. The resisters may hold back not because they object to declaring their assets to the state, but for fear that relatives would begin to have their own private designs on the public functionaries' fortunes, or that officials presumed to be well off might be targets of extortion. A balance therefore needs to be struck between refusing point blank to declare assets, on the one hand, and, on the other, breaching the existing privacy laws by making each official's bank statements a public affair. The only circumstance that might warrant divulging the contents of an assets declaration form is where there is ground to suspect that a particular public official has pre-emptively over-stated his/her earnings, or under-declared what s/he owns. Either way, false declaration has left the state no choice but to reveal what a deceitful official seeks to conceal.

Summary of recommendations

81. In realization of the critical role that transparency plays in maintaining high standards of service delivery and discouraging fraudulent conduct, it is recommended that:

- (a) The Ministry of Law and Constitutional Affairs, in collaboration with civic actors, draft a Freedom of Information Bill for enactment into law;
- (b) Government institute measures aimed at ensuring unimpeded implementation of the law and unrestricted access to information;
- (c) Public servants be barred from engaging in business, tendering for government contracts, or acting in any manner that might bring government into disrepute or lower the esteem of the public service;
- (d) Government enact a Code of Conduct for Political and Statutory Office Holders, and establish a Code of Conduct Office that is duly empowered to enforce extant rules and regulations on assets declaration, cross-check entries on assets declaration forms, demand explanations for declarations which raise red flags, and prosecute, before a Code of Conduct Tribunal, those guilty of false declaration;
- (e) In line with extant privacy laws, the Government shield the contents of properly filled assets declaration forms from public view;
- (f) The Ministry of Law and Constitutional initiate whatever legal or constitutional amendments are needed to achieve the foregoing objectives; and
- (g) Section 4 the Official secrets Act of 1967, Section 3 (2) (i) the Public Service Acts of 2005, and Printing and Publishing Act 10 of 1967 be reviewed with a view to aligning their provisions with the imperatives of transparency

IX. PERFORMANCE CONTRACTING, MONITORING AND EVALUATION

82. A systematic and transparent method of holding public officials accountable for the delivery of pre-determined outcomes is performance contracting. However, the concept is yet to be accepted in the public service of Lesotho. As of now, it is difficult to pin agencies and the officials working in them down to specific deliverables. Filling the vacuum in corporate and individual accountability is thus the underlying objective of performance contracting.

83. Unless the process is carefully planned and meticulously executed, performance contracting may fail to deliver on its promise. Accordingly, in embarking on the exercise, the government needs to ensure that no important step is skipped. The methodology to apply comprises the following steps:

- (a) Articulation of the country's long-term development aspirations and objectives;
- (b) Translation of the strategic objectives into Ministerial medium-term plans;
- (c) Negotiation (between the Prime Minister and each Minister or Agency Head) of the outcomes expected to be achieved annually during the medium term, as well as the rights and obligations of the parties to the compact;
- (d) Design of performance contracts and insertion of negotiated delivery targets in the instruments;
- (e) Ratification and execution of the performance contracts;
- (f) Migration from line-item to performance or Results-Based Budgeting;
- (g) Review of job descriptions and performance appraisal instruments to accommodate the new performance commitments (this requires drawing up, within each agency, performance contracts which cascade from the top to the bottom);
- (h) Review of personnel regulations, paying attention to the replacement of permanent with performance-tied fixed term contracts;
- (i) Design of online and offline performance monitoring and evaluation system (complete with a dashboard that enables the Performance Monitoring Unit to pick progress or setbacks in delivery plans);
- (j) Conduct of annual beneficiary surveys, to solicit the citizen-customers' opinions on the performance, professionalism, ethical standing, and impact of each Ministry of agency of government during the performance reporting period;
- (k) Introduction of new incentives systems, including recognitions and awards for excellence in corporate and individual performance.

84. Successful execution of duly negotiated performance agreements depends largely on the steps taken to:

- (a) Strengthen the Performance Monitoring Unit (by staffing it with individuals skilled in monitoring and evaluation, upgrading it to the status of a Reform Secretariat, and assigning the Unit the mandate to follow up the implementation of public service reforms in general);
- (b) Amend the Public Service Act of 2005 to provide for the introduction of time-sensitive performance contracts, and review the 2008 Public Service Regulations).

85. The responsibility for proposing the amendment lies with the Ministry of Public Service, the Ministry of Law and Constitutional Affairs and Civil Service Associations.

X. ADDRESSING YOUTH UNEMPLOYMENT

86. There is no explicit policy framework to address the problem of youth unemployment in the public Service. Plenary I is of the view that the solution lies in pegging retirement age at 50 years for employees in the public and private sectors. This, however, has serious fiscal, macro-economic, and other implications that need to be carefully considered.

87. For one thing, the employment of one age-category is not the cause of the unemployment of another. As a matter of fact, requiring those aged 50 years and above to proceed on retirement may have not have any significant impact on the employment potential of the youth, especially in view of the small number of employees aged 50 years and above, compared to the youths who constitute a high proportion of the population. On the contrary, the policy of mandatory retirement may either backfire or have other undesirable effects, notably, a constantly ballooning pension and severance budget, the depletion of public service human resources, the loss of experienced officers' mentoring facility, the loss of institutional memory, and the transfer of joblessness from one age group to another.

88. The solution lies in the formulation of a holistic and imaginative youth employment policy. This requires that the Ministries of Finance, Planning, Public Service, Labour and Employment, Trade and Industry, and Agriculture work in collaboration to produce a long-term policy paper on youth employment. The policy should comprise many components among which are:

- (a) The establishment of a National Youth Programme;
- (b) Review of youths and sports policy with a view to turning the youth into professional athletes, footballers, etc;
- (c) Training in entrepreneurship and small-scale business management;
- (d) Exploration of job opportunities in agriculture, tourism, automobile maintenance, and related sectors.

XI. LEVERAGING ADVANCES IN INFORMATION AND COMMUNICATION TECHNOLOGY FOR IMPROVED PERFORMANCE

89. Lesotho government has developed and implemented an ICT policy whose aim is to enhance productive investment in the following key areas:

- ICT and Support Infrastructure: the country needs modern and efficient infrastructure, including roads, utilities and communication networks in order to realize the benefits offered by ICT. Without such infrastructure, it becomes difficult, if not impossible, to deliver telecommunications, broadcasting, computing and information services such as the Internet, mobile communication, digital television and radio, interactive multi-media, telemedicine and distance learning.
- Education and Human Resource Development: investment is made in all levels of formal education. The Government in partnership with the private sector will work towards creating training opportunities and promoting an environment that is conducive to job creation and job enrichment in the ICT sector.
- E-government: using ICT to deliver Government information and services in Lesotho will be instrumental in realizing the principles of good governance as articulated in the National Vision of Lesotho. ICT will also play an important role in improving delivery of Government services to the public, empowering citizens and increasing their participation in the political process. It can also be used to reduce the cost of Government through more efficient management.

- E-commerce: Electronic commerce has tremendous growth opportunities for businesses in Lesotho. It enables local businesses to have access to potential markets through the world. It also reduces the barriers to entry for small and medium sized enterprises (SMMEs) as it lowers overhead and marketing costs.
- Tourism, Environment and Natural Resources: The tourism sector is one of the fastest growing sectors worldwide and information and communication technology is one of the strongest forces fueling its growth. Information Systems, computer reservation systems and Internet are bringing people into contact with a growing number of tourism opportunities throughout the world. In addition, the government is also investing in Health, Food and Agricultural sectors.

90. Implementing the aforementioned activities entails applying cost-effective application of computers to improve overall productivity of Lesotho government. Furthermore, the government of Lesotho already has a working website, which is updated regularly in order to keep the nation updated about the latest developments in both the civil service as well as in the private sector.

Way forward in ICT applications

91. Overall, however, electronic connectivity has not advanced sufficiently to enable the public service to fully leverage latest advances in information and communication technology. To redress the imbalance, it is recommended that the following measures be undertaken:

- All Government Ministries and agencies must be connected to Government ICT and all Public Servants to use Government e-mail addresses
 - Software appropriate for improved service delivery, and for financial and human resource records, must be acquired or developed
 - Investment in the acquisition or upgrade of ICT hardware must be encouraged.
 - expanded usage of applied technology and access to information and communication technology
 - The seventh pillar of the National Vision 2020 ("**a well-established Technology**") must be achieved;
 - The public service must move from the manual system of operating to electronic systems;
 - The proposed system must be citizen-driven as their demand government to be more accessible, less complex and faster provide inter-connectivity of all organizations' services;
 - The infrastructure for e-operations within the country (ranging from e-Governance, e-Schools, e-Health to other e-Services) must be developed;
 - The ICT unit should be restructured to enhance its capacity to perform the expected functions;
1. The ICT infrastructure must be rolled to the district level, and must have a maintenance strategy in place;
 2. Develop and upgrade the platform enabling Basotho to access information and services.

XII. PUBLIC SERVICE COMPETENCY GAPS AND TRAINING: LINKING CAREER PROGRESSION WITH TRAINING

92. Lack of job-related and skills enhancement training constitutes one major obstacle to the effective implementation of government policies and programmes. With the possible exception of when public servants are angling for financially rewarding, per diem-paying, overseas training, the contribution of performance-targeted staff development programmes to effective public administration has not been fully recognized.

93. In view of the importance of training to the effective implementation of programmes and the attainment of the government's development objectives, it is recommended that:

- (a) Attendance at LIPAM's tailor-made, and career-related training programmes be made mandatory for various classes of public servants;
- (b) LIPAM be equipped with the resources it needs to serve as the centre of excellence in public service training, a centre that combines the conduct of training programmes with applied research and consulting in leadership and decision-making, application of management techniques in government, strategic management, public service operations, change management, restructuring and reorganization, ethics and accountability, attitude change and behaviour modification;
- (c) LIPAM, from time to time, carry out training needs assessment surveys and apply the results to its programming and intervention activities;
- (d) LIPAM develop instruments for monitoring the impact of its training programmes on public service performance;
- (e) Government review the current training and staff development policy, with the aim of ensuring the implementation of career-based training programmes and the patronage of domestic institutions;
- (f) Government implement its earlier directive on the transfer of the following training institutions to the Ministry of Education: National Health Training College, Lesotho Agricultural College, Lesotho Institute of Public Administration and Management, as per the Education Act on Council on Higher Education;
- (g) LIPAM and similarly placed institutions become autonomous like the Institute of Development Management, Centre for Accounting Studies, Lesotho College of Education, Lerotholi Polytechnic;
- (h) To ensure cross-fertilization of ideas, LIPAM be mandated to run market-driven training courses targeted at public and private sector participants.

XIII. THE FUTURE REFORM OF THE PUBLIC SERVICE: SHORT-, MEDIUM- AND LONG-TERM OPTIONS AND STRATEGIES

94. The picture emerging from the preceding sections is of a public service whose progress has been slowed down by half-hearted commitment to reform, and by reluctance to embrace change. That is why, in spite of the time and effort spent introducing reform programmes, status quo has largely prevailed.

95. To place the public service of the Kingdom of Lesotho on a sustainable reform path, the government should, in the short- to medium term, demonstrate the will to implement and follow up reforms, especially, reforms that are designed to enhance the public service's capacities to respond to ongoing and unfolding challenges, and project the government's good image. The Government also needs to review and harmonise public service laws and regulations having bearing on reform and ensure their faithful implementation. The Ministries and departments must be re-aligned to avoid overlap and conflict in mandates

96. The preceding (short- to medium-term) measures are important, but they are not as important as those to be undertaken in the medium- to long-term. The latter are measures that are intended to steer public service reforms and ensure their sustainability. They include:

- Forging a national consensus on new, citizen-centred, Batho pele, governance and public administration principles (principles that are most likely to open a new and sustainable reform path)
- Transforming a politicized public service into a genuinely professional, ethical, merit-based, and results-oriented institution (short-long term options)
- Inculcating a new service delivery culture in all cadres of the public service;
- Strengthening watchdog and accountability institutions;
- Entrenching accountability and transparency via performance contracting, monitoring and evaluation;
- Enhancing the professionalism of the public service through the implementation of a comprehensive training and capacity development programme;
- Leveraging latest advances in ICT for improved service delivery; and
- Formulating a holistic youth unemployment strategy.
- Improve the working conditions and harmonise public services' remunerations and benefits across the civil service
- Develop Public Service Legal framework, Policies and strategies that addresses the inequalities in the employment and conditions of the persons with disabilities.
- Improve the quality and accessibility of the education system
- Harmonise Local Government laws and systems to improve relationships between the elected authorities and traditional authorities for improved service delivery
- Improve and protect the conditions and rights of workers in the country

Consolidated Critical Challenges and Recommendations from the Public Inputs into Reforms for National Leadership Forum and Second National Multi-Stakeholder Plenaries

The Public Service

1. Introduction

Evidence within and outside Africa has demonstrated that civil service excellence can be a driver of national transformation through the diligent implementation of socio-economic development plans and service delivery. Like in any successful enterprise, civil service excellence is founded, among other things, on professionalism, efficiency, dedication to service and a results orientation. In this age of information and exponential technological advancements, a modern civil service must be in tune with innovations that improve management and service delivery. Lesotho's civil service must re-invent its approach to service to propel the country beyond the multiple socio-economic challenges that confront Basotho.

Currently, Lesotho has one of the highest wage bills in sub-Saharan Africa. Public service salaries, wages and capital expenditures are about 80% of Lesotho's total revenue collection. While revenue has more or less stagnated, there have been steady increases in government employees and in salaries per employee, leaving the government to become the leading employer ahead of the private sector. Human and institutional capacity limitations are significant factors in poor service delivery and gaps across Ministries, Departments and Agencies (MDAs).

The current situation calls for changes to create an efficient, motivated, results-driven and productive public service. The structure of our public service is bottom-heavy, with a large pool of support staff against a small number of professional staff. At the same time, our public service is perceived as polarized, politicized and nepotistic. The current situation calls for a radical shift. Change is inevitable.

Various public service reforms have been mooted and tried before but failed because of poor implementation strategies. For example, the Public Sector Improvement and Reform Programme (PSIRP) launched in 2001-2002 had little impact on service delivery due to a lack of enthusiasm for change, and monitoring and evaluation plans. These previous reform initiatives may also have suffered for lack of strategic leadership and champions. These lessons will inform the renewed efforts for public service reforms.

2 Overall Objective of Public Service Reforms

The overall objective of the proposed public service reforms in Lesotho is the creation, and retention of an effective, motivated, professional, innovative, results-oriented and people-focused public service which is aligned to the country's developmental aspirations. To achieve this objective, the proposed changes will be pursued and implemented according to the short term, medium term and long-term specific objectives below.

- Forge a new, citizen-centred, Batho pele governance and public administration principles (Principles that are most likely to open a new and sustainable reform path).
- Transforming a politicised public service into a genuinely professional, ethical, merit-based, and result-oriented institution (Short- long term options)
- Inculcating a new service delivery culture (Short-term –long term options)
- Strengthening watchdog and accountability institutions
- Entrenching accountability and transparency via performance contracting, monitoring and evaluation
- Well-trained and effective public service
- Leveraging advances in ICT for improved service delivery
- Formulating a youth unemployment strategy

Consolidated Critical Challenges and Recommendations From the Public Inputs into Reforms for National Leadership Forum and Second National Multi-Stakeholder Plenaries

Constitutional Issues (Requires Legal Framework)

| Critical Challenges | Recommendations |
|--|------------------------|
| Strategic Priority Area 1 Eradicate the Nepotism and Politicisation in the recruitment and promotion of the public servants by the politicians | |

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| Politicisation and nepotism in the recruitment and employment of statutory and other senior positions as may be stipulated in the constitution | <ul style="list-style-type: none"> • A Parliamentary committee should be established to conduct interviews and recommend best candidates for all statutory positions, commissions, heads of security and other relevant senior positions in the public service, in an open public environment |
| Politicisation in the recruitment of public officers in the public service Commission by the politicians | <ol style="list-style-type: none"> 3. Members of the Public service Commission must be appointed on merit by the King through the advice of Parliament, and following the steps identified in the Main Report 4. Public Service Commission must be an independent entity insulated from political influence 5. Public Service Commission should act as a watchdog to guard against irregular conduct • Public Service commission should include people with disabilities |
| The recruitment of the government secretary, Principal Secretary and District Administrator must be on merit in an out process. | <ul style="list-style-type: none"> • Change the constitution to reflect open recruitment and on merit by Parliament |
| Public servants have limited freedom of association and while this interferes with their human rights it also renders them vulnerable to politicians | |
| Recruitment of the Judicial Officers | <ol style="list-style-type: none"> 6. Recruitment by merit, open process and Including psychometric tests in the recruitment of judges by Parliament |
| The Government in power only delivers services to those constituencies in which the ruling party was elected | |
| 2. Strategic Priority Area | |
| Addressing Youth Unemployment in the country | |
| Chronic youth unemployment | <ol style="list-style-type: none"> 7. Enact national youth service legislation and reduce the retirement age from 60 to 50 within both the private and public sectors 8. Amend Public Service Act 2005 to include and enforce a 35% youth employment quota for all Government departments and Parastatals |

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| Increase youth employment quota in the public service | 9. Diversify and professionalise previously unrecognised careers (e.g. Youth development work, paramedics, Arts and Creative Industries) 10. Have a contemporary system that will accommodate the fourth and subsequent industrial revolutions that links, education, labour and financing of national education and skills development programmes 11. Implement alternate career streams, that is; segmented tracks (e.g. short term high risk-high return; long term-low risk –low return) to ensure smooth turnover of the human capital in the public service thus ensure absorption of youth in key public service position. |
| Career development and diversification within the public sector including parastatal | |

3. Strategic Priority Area

Media Access of Crucial information from government

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| Allow Media to have access to crucial information and footage from government for public interest | 12. Repeal Section 4 the Official secrets Act of 1967 13. Repeal Section 3 (2) (i) the Public Service Acts of 2005 14. Repeal the printing and Publishing Act 10 of 1967 . |
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4. Strategic Priority Area

Improve and strengthen the capacity of Educational Institutions to deliver quality services

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| Slow recovery of tertiary education loan bursaries | |
| Establish a Judicial Training Institute to capacitate judicial officers | |

5. Parliament

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| MPs get interest free loans at the expense of the people. | 15. The loans given to MPs should be charged interest and they should be compelled to personally pay them back 16. PM and DPM should qualify for pension after five years of being in office 17. Per diems and Ministers entourage when travelling abroad should be reduced |
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6. Strategic Priority Area

Endemic corruption in the public institutions

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| <p>Endemic corruption in the public institutions</p> <p>Corruption and lack of accountability by public officials is rife exacerbated by poverty as some civil servants then resort to bribes to complement their income</p> <p>Public officers demand bribes</p> <p>Government tenders are awarded to senior public officers and Members of Parliament</p> | <ol style="list-style-type: none"> 18. Establish an independent Public Protector to investigate an ethical conduct in public institutions. 19. Establish an independent watchdog on corruption and economic offences to oversee the institutions dealing with corruption and economic offences; 20. Establish an independent body to oversee procurement in the public service 21. Revamp and resource the DCEO to enable it to carry out its mandate 22. Act harshly against bribes and other forms of corruption 23. Expel corrupt officers 24. There should be transparency in the awarding of government tenders 25. In corruption cases punishment should be proportional to the damage done and loss suffered 26. Establish a Tribunal and asset forfeiture unit so that public officers who are found guilty of corruption can be processed speedily through these units 27. Review and increase Public Service salaries to reduce incidents of bribery and corruption 28. Recruit inspectors 29. Senior officers should monitor service delivery 30. Act harshly against bribes and other forms of corruption 31. There should be transparency in the awarding of government tenders 32. In corruption cases punishment should be proportional to the damage done and loss suffered 33. Public Officers should take an oath of confidentiality 34. Establish a Tribunal and asset forfeiture unit so that public officers who are found guilty of corruption can be processed speedily through these units 35. All government ministries should be linked to the Ministry of Home Affairs so that all employees can be registered to minimise ghost employees on government payroll 36. Review and increase Public Service salaries to reduce incidents of bribery and corruption |
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| Institutional Issues | |
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| Critical Challenges | Recommendations |
| Strategic Priority Area | |
| 7. De- politicise and eliminate nepotism within the public service institutions | |
| Politicisation and nepotism | <ul style="list-style-type: none"> ◆ Amend Public Service Act 2005 to allow for the Principal Secretary positions to be career based, with permanent and pensionable terms ◆ Establish a career diplomatic service and ensure that the Foreign Service is manned by qualified career diplomats, appointed on permanent and pensionable terms. ◆ Review the Public Service's secondment and special assignment policies ◆ Enforce Laws to prohibit undue personal political influence on delivery of service by Public Officers. ◆ Enforce/enact regulations to depoliticise the public service ◆ Regulate for formation of Public Officer's trade unions |
| Strategic Priority Area | |
| 8. Transform and create LIPAM as autonomous institution for Public Administration and Management, in order to deliver excellent, relevant and quality training to enhance implementation of Government Development and Reform priorities | |
| 1.Lack of familiarity with government system | <ul style="list-style-type: none"> ◆ Entry and progression within the Public Service should be preceded by induction and other training courses at Lesotho Institute of Public Administration and Management (LIPAM) ◆ All public Employees should undergo induction and continuous on the job training: ◆ Introduction of specialised courses for all public employees at LIPAM ◆ Strengthen LIPAM to produce career public officers with relevant skills and competencies; and Officers to be trained after every position change, to adapt to new the environment |
| Strategic Priority Area | |

| 9. Transform the performance of the Public Service to meet the demands of the citizens | |
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| Poor service delivery emanating from lack of enforcement of performance reviews | Reform and strengthen chieftainship for improved performance and service delivery. That is, chieftainship should not only be a matter of succession. |
| Lack of performance Monitoring Unit | <ul style="list-style-type: none"> • Enforce performance review guidelines • The Public Officers are unable to perform their duties due to heavy load of work and they are still using old systems • There should be stronger monitoring systems. |
| No measures for retention of skills | <ul style="list-style-type: none"> • Establish a performance monitoring unit within the Prime Minister's office to monitor overall government performance |
| Government employees compete for tenders with the rest of the public | <ul style="list-style-type: none"> • Enforce discipline among public officers |
| Laxity in discipline | <ul style="list-style-type: none"> • Beyond the tribunal stage in disciplinary proceedings, further appeals should be dealt with within the labour Court |
| Non adherence to legal frameworks | <ul style="list-style-type: none"> • Enforcement of the existing legal frameworks and integration of functions from different commission within the public service to enhance service delivery, growth, quality and ethics |
| Lack of information back up | <ul style="list-style-type: none"> • Enact legislation on e-governance to facilitate online services • Modernise ICT systems in the public service for improved service |
| Exorbitant spending in the Public Services | <ul style="list-style-type: none"> • Device measures to control overspending in the public service and embark on containment measures |
| Lack of utilisation of existing local skills and competencies in the public service | <ul style="list-style-type: none"> • Maximise utilisation of skills that are available in the Public Service to minimise expenditure and, where necessary, consider local consultants |
| Strategic Priority Area | |
| 10. Promote and protect the rights of vulnerable groups. | |
| Discrimination against minority groups in the service | <p>11. Diverse representation should be enhanced within the Public Service, in respect of the disabled, women, and youth.</p> <p>12. Disability parity, a quota set for disabled people (2%) and youth (35%) in the Public Service</p> |

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| | <p>13. The civil servant are subjected to the decisions in their contracts that are disempowering and affects their moral</p> <p>14. Government buildings should be accessible to people with disabilities Set up independent commission to review the public service</p> |
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Strategic Priority Area

11. Structure the fiscal decentralisation systematically and develop the capacity of stakeholders

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| Extremely centralised government services | <ul style="list-style-type: none"> ◆ Accelerate decentralisation of services and supportive resources and strengthen oversight of local authorities ◆ Process of recruitment of public officers be decentralised to local government councils ◆ Government offices are well established in Maseru only ◆ Fully implement decentralisation of public services to local councils ◆ Decentralise Directorate of Dispute Prevention and Resolution and Ombudsman offices to all districts ◆ Clarify the roles of chiefs and local government councillors in service provision |
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Strategic Priority Area

12. Restructure all ministries to address the anomalies with the salary structure of the public servants

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| No ceiling for the number government ministries | <ul style="list-style-type: none"> ◆ Conduct structural and ministerial realignment to link functions with resources and reduce number of ministries to 15 ◆ Align the civil service salary structure to/with academic qualifications to minimise flaws. For example, now officers holding BA degrees supervise Phd holders ◆ Regularly adjust the government establishment list so that it conforms to pertaining national manpower needs ◆ Resuscitate and/or strengthen public institutions of accountability ◆ Institutionalise and reward efforts that promote peace. For example Prison fellowship; |
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Strategic Priority Area

| 13. Review all the legal framework in place i.e. Public Service Act 2005 and its Subsidiary legislation in place to address good working environment of public servants | |
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| Recruitment | <ul style="list-style-type: none"> ◆ Strengthen the Public Service Act ◆ Reduce retirement age to 50 (early retirement) and a compulsory retirement at 55. ◆ Public servants should retire at the age 60/65 years (Constitutional group) ◆ There should be gender equity in recruitment ◆ People should recruited within their districts ◆ Recruitment should be done by a body and not individual ◆ Set up an independent office for recruitment of public officers ◆ Public Service vacancies be published everywhere to make the process more competitive ◆ Officers should permanent and pensionable ◆ Process of recruitment of public officers be decentralised to local government councils ◆ Graduates should prioritised on age of their graduation ◆ Hiring should be based on existing list ◆ Merit based recruitment dependant on Establish a specialised centre (application centre) to receive and process all applications for vacancies in the public sector ◆ Two percent of public officers in each ministry should people with disability ◆ qualifications ◆ Public servants should be hired on short term performance based contracts |
| Benefits | <ul style="list-style-type: none"> ◆ Even former officers should still benefit from pension ◆ Family of Public Officers should continue to receive the pension after the death of the officer ◆ PAYE subtraction form officer's salaries should stop ◆ Public officers should receive 75% of their pension when they retire |

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| | <ul style="list-style-type: none"> ◆ Set up pension scheme for public service employees on short term contract. ◆ Reduce income tax for public service workers on short term contract ◆ Public Officers be allowed to borrow from the pension fund scheme ◆ Reintroduce low percentage compulsory savings scheme for public officers ◆ Reduce the number of public officers and use the money for service provision ◆ Review and increase Public Service salaries to reduce incidents of bribery and corruption ◆ Village health workers be considered public servants with all the rights and benefits ◆ Mahokela and support groups should be paid a monthly (allowance) salary ◆ Chiefs should be paid a salary ◆ Area chiefs should be paid a salary (M5000) and Mahokela also remunerated ◆ Mahokela should be given allowance of at least M1,500 monthly ◆ Mahokela should include in Police budget Basotho from rural areas work in South Africa as people with lower education are brought in from Maseru to work in rural areas |
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Strategic Priority Area

14. Improve quality of service delivery in institutions of essential services, hospitals, clinics, courts, police stations, home affairs (immigration and ID department) transport department

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| Service provision at hospitals, clinics, police stations, the courts and institutions that provide identification documents is very slow and there are very long lines | <ul style="list-style-type: none"> ◆ Government offices should open at 7:00am ◆ Government buildings should be accessible to people with disabilities ◆ Privatize passport, ID services and car registration ◆ There should be provision of 24 hrs services in public hospitals and clinics ◆ All public offices should have cameras to monitor service provision quality ◆ Cost of identification and travel documents should be reduced and the process rendered accessible |
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| | <ul style="list-style-type: none"> ◆ Police officers should be extended to villages in the rural and highland areas |
| Police officers do not attend to criminal cases when called as they say they have no vehicles | <ul style="list-style-type: none"> ◆ Police should be provided with vehicles to improve their work |
| Public Officers have a bad attitude and are often more focused on their cell phones than helping people | <ul style="list-style-type: none"> ◆ Regulate phone/cell phone use during office hours |
| There is no accountability mechanism for civil servants | <ul style="list-style-type: none"> ◆ Managers offices and Managers must be accessible ◆ There should be public service code of conduct- ◆ All Public Officers must wear name tags ◆ Establish office where public can complain of bad service provision by the public sector. ◆ The elderly and people with disability to receive special treatment at public services ◆ Set up toll free number for complaints ◆ Introduce shift work for public complaints about public services ◆ Every public institution should have an independent monitoring body ◆ Public officers to be transferred every two years ◆ Establish job rotation ◆ Two percent of officers in each Ministry must be people with disability ◆ There should be stronger monitoring systems. ◆ Public Officers should be on probation for 3-4 months ◆ Continuity in Government projects is undermined by poor handover from one government to the next ◆ Public officers are very slow and take leave without the consent of their senior managers ◆ Government offices are well established in Maseru only |
| The support documents required when applying for identity documents often hinder progress | |
| | Socio Political |
| Critical Challenges | Recommendations |
| Strategic Priority Area | |
| 15. Addressing Youth Unemployment | |

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| High Youth unemployment | <ul style="list-style-type: none"> ◆ Introduction of National Youth Service for new graduates to serve for not more a year as an exposure to youth into the world of work ◆ A certificate should be issued at the end of the service to confirm the experience they would have gathered |
| Strategic Priority Area | |
| 16. Eradicate all forms of corruption tendencies in the public sector | |
| Corruption | <ul style="list-style-type: none"> ◆ Recruit inspectors |
| Public officers demand bribes | <ul style="list-style-type: none"> ◆ Senior officers should monitor service delivery ◆ Act harshly against bribes and other forms of corruption ◆ Expel corrupt officers ◆ All government ministries should be linked to the Ministry of Home Affairs so that all employees can be registered to minimise ghost employees on government payroll |
| Government tenders are awarded to senior public officers and Members of Parliament | <ul style="list-style-type: none"> ◆ There should be transparency in the awarding of government tenders ◆ In corruption cases punishment should be proportional to the damage done and loss suffered ◆ Public Officers should take an oath of confidentiality ◆ Establish a Tribunal and asset forfeiture unit so that public officers who are found guilty of corruption can be processed speedily through these units |
| Political | |
| Government takes a long time to respond to matters that affect citizens as witnessed by the teachers strike | |
| The Ministry of Social development does not adequately help very poor and disabled people | |
| Public officers are hired politically and some of them do not deliver on their jobs | Public officers should be hired on merit based and renewable contract |
| Public servants are active in politics | |

3. The Action Plan of Consolidated Critical Challenges and Recommendations from the Public Inputs into the Nation Reforms

| Main Strategic Objective: Forging a National Consensus on new, Citizen-Focused, <i>Batho-Pele</i> governance and public administration principles | | | | | |
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| | Strategic Priority Area: Inculcating a new service delivery culture in the Public Service, which is apolitical, neutral and corrupt free | | | | |
| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Frame |
| 1. Poor service delivery emanating from lack of enforcement of performance reviews | 1 There is resistance to implementation of the Performance Management System, as they fill performance appraisal form only when they need to be confirmed into service or on promotion | i. Review and strengthen the performance management system as well as the monitoring unit within the office of the PM. ii. Establish a performance monitoring unit within the Office of the Prime Minister to monitor overall government performance in line with goals and policy objectives | Administrative action/change process | Cabinet/Ministry of Public Service | Short Term |
| | 2 No specific or documented service standards for both internal and external clients | ii. With the active collaboration of citizens and service beneficiaries develop and implement explicit service benchmarks and standards (e.g, clarification of eligibility for service; ease of access, dependability, timeliness/promptness, reliability, predictability, transparency, continuity, affordability, service delivery courtesy, etc.) to enhance efficiency, transparency and accountability for public institutions to adhere to, in service delivery to internal and external customers | Administrative action Restructuring and re-engineering of processes, drafting of service pledges/customer charters, and display of same, when approved, at service perimeters. | All Line Ministries and agencies and parastatal | Short Term |
| | 3 Low morale with culture of mediocrity across the Public Service | iii. Harness employee positive motivations by inducing and infusing new work ethics/values that enhance cost-effectiveness and quality –based, outcome-oriented, performance culture. | Administrative action/change processes (Review of rewards and incentive | All Line Ministries | Short Term |

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| | | | system, training and capacity building) | | |
| | 4 Indifference to the system by employees and management alike to the existing guidelines. | iv. Enforce performance review guidelines by inculcating the culture of performance management | Administrative action/ Implementation and enforcement of existing guidelines | All Ministries, agencies and parastatal | S short Term |
| Service provision at hospitals, clinics, police stations, the courts and institutions that provide identification documents is very slow and there are very long lines | 5. Inspectorate Unit and Quality Assurance unit not yet established | v. Establish an Inspectorate Unit with a quality assurance unit to ensure mandatory compliance with pre-determined standards Vi. Implement quality assurance across the line ministries. Vii. Conduct customer satisfaction surveys periodically | Administrative action timely establishment of inspectorate unit and effective deployment of inspectors | Ministry of Public Service | Short Term |
| | 6. Appointment to decision-making positions of unqualified persons with no strategic leadership experience and relevant qualifications in systems, processes, practices and procedures which in turn hinders accountability, efficiency, good governance and performance in the Public service | Viii Introduce competence and merit- based recruitment and on-the job training, with clear and specific criteria for attracting and retaining high calibre employees and leaders. ix Supply hospitals, clinics, police stations and courts with enough human, material and financial resources x. All of these staffs must periodically be trained in customer care and managerial skills. | Policy and Administrative action | Cabinet and Ministry of Public Service | Short Term |
| | 7. Government budgets cuts have compromised health care services in church hospitals and clinics | Government must own its agreement with the church and implement it to the letter. | Administrative Action | Ministry of Health | Short term |
| | 8. There is no pensions scheme for retired nurses working for church hospitals | Government and the Church authorities must address the injustice employment practise and make sure the nurses working in church hospitals are treated equally. | Administrative Action | Ministry of Health and The Church Authorities. | Short |
| 2. Government services are extremely centralised and concentrated in the capital with no clear operational linkages | 1. Non- implementation of available legislation on decentralisation | i. Aggressive enforcement, and implementation, monitoring of decentralisation policy, supplemented with measures and act enhancing the capacity and strengthening the will of the centre to decentralise and enhance the capacity of local institutions to discharge their statutory responsibilities. | Policy/Administrative action | Cabinet and Ministry of Local Government and Chieftainship | Short Term |

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| with the local government | | | | | |
| | Strategic Priority Area: Improve the working conditions and harmonise public services' remunerations and benefits across the civil service | | | | |
| Politics affects predominantly outweighs other factors as to the appropriate salaries of public servants | Determination of salaries and benefits of public servants is left the discretion of Finance Minister of the day | I. Create an independent Salaries and Remunerations Commission (SRC) to review and determine the fair and adequate salaries and other benefits for all public officers and statutory positions. II. The membership of the SRC must include technical experts and other members across different fields and institutions. (e.g the Kenyan model all these members must be appointed by Parliament | Constitutional: Amend the constitution to establish an independent Salaries and Remunerations Commission | Cabinet office and Ministry of the Public Service | Medium Term |
| Non-compliance and implementation of the signed conventions | Minister of Finance determines the salaries and benefits of Parliamentarians and statutory offices by amending the schedule to the statutory salaries act | Review, align and implement the public Service laws and policies as per conventions and charters to adapt it to international best practices | Legal action and Administrative action | Ministry of Public Service | Medium Term |
| | Strategic Priority Area: Entrenching accountability and transparency via performance contracting, monitoring and evaluation | | | | |
| 1. Absence of corporate and individual accountability | 1. Inability to hold Ministries, departments and agencies accountable for specific outcomes and to hold individual public officials responsible for accomplishment of specific tasks | I. Negotiate, design and roll out of inclusive performance contracts/compacts which cascade from the top to the bottom and binds various parties to clear performance obligations while at the same time spelling out their rights II. Transform government ministries and systems/functions in order to harmonies the service delivery to adopt one stop shop III. Introduce e-governance platforms, to improve efficiency and to have a portal to trace performance of the public servants | Legal action Amendment of the Public Service Act of 2005, to provide for the introduction of time bound performance contracts and review of Public Service Regulations of 2008. The responsibility for proposing amendments lies with the Ministry of | Ministry of Public Service | Short Term |

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| 2. Public service lacks professionalism which results to poor service delivery | 2. Policies and systems are in place to guide public servants how to conduct themselves at work but there is lack of enforcement of the law. | IV. Enforce public satisfaction survey in the public service | Public Service and Ministry of law and | | |
| | | V. Implement the current existing policies to enforce discipline, accountability of responsibilities, ethical behaviour to create a more predictable working environment. VI. Vigorous enforce performance management system across the civil service | Administrative action Enforce and implement the existing legislation and policies | All Line Ministries | Short Term |
| | 11. Enforce the law to protect officers from undue political influence | I. Allow officers to form trade unions and federations for improved working conditions and collective bargaining in line with international best practices and conventions. | Administrative action domestication of AU charter on public Service | Ministry of Public Service | Short Term |

| Strategic Priority Area : Transforming a politicised public service into a genuinely professional, ethical, merit-based and performance result-oriented institution | | | | | |
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| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Frame |
| 1. Politicisation of the recruitment, nepotism and persistent of the patronage system within the public service institutions | 1. The appointment or recruitment to statutory positions is based on party affiliation politics not on merit. E.g Principal Secretaries, Government Secretary, commissioners, Directors of government Agencies' (appointed by Prime Minister) Boards of Parastatal (appointed by the Minister heading the supervising Ministry) etc. | i. The recruitment of Public Service Commissioners must be done by a Panel of Professionals/ experts in an open and merit based. ii. The Public Service Commission must use Psychometric Competences Assessment Centre Approach iii. The Assessment Centre must be independent and must operate as a professional arm of the Public Service Commission. iv. The Assessment Centre must be capacitated | 1. Legal action | Cabinet, Parliament, Ministry of Public Service and Ministry of Law and constitutional Affairs | Medium Term |

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| 2. The abuse of power and Victimisation of the public servants by the politically appointed Principal Secretaries | <p>2. The Government Secretary currently is performing dual roles, as Secretary to Cabinet and as Head of Civil Service. The constitution stipulate his role as the Secretary to the cabinet but it is silent on his position as the Head of Service as per Section 97 (1&2)</p> <p>3. Principal Secretaries are political appointees and entrusted with the responsibility of firing public servants</p> <p>4. The recruitment of graduates' entrance is highly political. New entrants are appointed on a first come first serve basis but this is open to abuse as those with high level political connection could be placed at the top of the list.</p> | <p>v. Public Service Commission must recruit candidates for all the statutory positions on <i>merit</i>, assisted by technical experts whose recommendations will inform PSC's recommendation to the appropriate Parliamentary Committee before transmission of final recommendation to the Prime Minister who will advise the King.</p> <p>vi. Government Secretary to remain as secretary to Cabinet as provided for in Section 97 of the constitution.</p> <p>vii. The Head of the Civil service should be appointed to lead, manage, coordinate, monitor, and evaluate the performance of the civil Service as an independent arm of the Public Service. The incumbent must have access to the Prime Minister and report to cabinet</p> <p>viii. Change the Public Service Act and give back the powers of firing of the public servants to a neutral body (The Public Service Commission)</p> <p>ix. All appointments of graduates must follow the normal recruitment process. Vacancies must be duly advertised and candidates must compete on a levelled playing field. This responsibility must be decentralised to all line ministries. The graduates must be subjected to Competence Assessment (Psychometric Test). Best practices of fair, objective and transparent modern way of</p> | <p>Legal action/ The appointment of the Head of Civil service must be constitutional and stated in the constitution</p> <p>Amendment of the Public Service Act of 2005 to give back the firing powers to Public Service commission</p> <p>Admin: Change the Public Act of 2005 to reflect this and review the Basic Conditions of Employment of 2011 and the Public Service Regulations 2008.</p> | Ministry of the Public Service | Medium Term |
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| | | <p>recruitment. No employee of the public service may be favoured or prejudiced only because that person supports a particular political party or cause.</p> <p>x. Establish a career diplomatic service and ensure</p> | | | |
| | <p>5. Diplomats are being appointed on political grounds it brings bitterness and animosity among the public servants.</p> | <p>xi. that the Foreign Service is occupied by qualified career diplomats, appointed on permanent and pensionable terms</p> <p>xii. Draft a Bill on Foreign Service to provide for the management, administration, accountability, and functioning of a professional Foreign Service of the Kingdom of Lesotho.</p> | <p>Constitutional: Parliament to select the Portfolio Committee on Foreign Affairs and International Relations to approve and recommend the appointment of such positions as High Commissioner, Ambassador or Permanent Representative to the Prime Minister who would advise the King. Enact the Bill on Foreign Service</p> | Ministry of Foreign Affairs and International Relations | Medium Term |
| Discrimination against minority <i>(e.g persons with disabilities, youth, women)</i> groups in the service | <p>6. Diverse representation should be enhanced within the Public Service, in respect of the disabled, women, and youth.</p> | <p>I. Government should develop a framework that includes the disability parity, and determine a quota in consultation with the relevant stakeholders.</p> | Policy | Ministry of Social Development and Public Service | Medium Term |

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| | | II. Government should develop a policy that enforces that all buildings should be accessible to people with disabilities | | | |
| | 7. Currently there is poor service delivery, there are no service standards. There are only political considerations | <p>III. adopt a more entrepreneurial, proactive, service-oriented attitude and involving the users of public services</p> <p>IV. Strong public service leadership and performance are now more critical</p> <p>V. Make public servants adjust to the needs of the private sector and civil society,</p> <p>VI. Introduce the Public Service Charter that clarifies the public administration-client relationship.</p> <p>VII. Spell out the rights and obligations of each party as well as the regulations which govern the service provider and user relationships.</p> <p>III. Must cover the fundamental principles underlying public services, rules governing administrative decisions and procedures, the rights and obligations of public officials and the need for protecting public, the participation and representation of clients, and the access to information and protecting the rights of citizens.</p> | Policy Develop policy framework that forces all government ministries, agencies and parastatal to have Public services Charter supplemented with service pledges | Cabinet | Medium Term |
| | 8. PUBLIC SERVICE ACT 2005 <i>Section 21, 19, 22</i> Public servants have limited freedom of association and while this interferes with their human rights, it also renders them vulnerable to politicians | <p>I. Public officers should establish unions, join and form federations and confederations in line with ILO Convention 87 and 98.</p> <p>II. There should be compensatory guarantees for those who are barred from joining trade unions as well as those barred from going on strike (essential services).</p> <p>III. Reasonable threshold should be set for trade union eligibility for collective bargaining.</p> | Constitutional This must be included in the constitution. But the Public employees who provide critical life and death, including emergency services should not go on strike. | Ministry of the Public Service and Ministry of Labour and Employment | Medium Term |

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| | | <p>IV. threshold should be reduced to 30 or 35</p> <p>V. It should be stipulated as to who could join the trade unions in terms of grades.</p> <p>VI. Lesotho should ratify convention 151(Public Service Relations Convention) where representatives of recognized public employees should have access to facilities that enable them to carry out their functions promptly and efficiently, both during and outside their hours of work.</p> | | |
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| | Strategic Priority Area: Formulating Youth employment strategy | | | | | |
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| Challenges | Current Status | Possible Solution | Type of Action | Implementation agency | Time Frame | |
| 1. Chronic Youth Unemployment in the country | i. Currently, there is no direct legal framework to address this problem in the public Service. Plenary 1 is of the view that the solution lies in pegging retirement age at 50 for employees in the public and private sectors. This, however, has serious fiscal, macroeconomic and other implications that need to be carefully considered. For one thing the employment of one age category is not the cause of the unemployment of another. As a matter of fact, requiring those aged 50 years and above to proceed on retirement, may not have any significant impact on the employment potential of the youth, especially in view of the small number of employees aged 50 years and above. On the contrary the policy of mandatory retirement may either backfire or have undesirable effects notably a ballooning pension and severance budget, depletion of public service human resources, the loss of experienced officers mentoring facility, the loss of institutional memory and transfer of joblessness from one age group to another. | <p>i. This problem of youth unemployment cannot be solved by just reducing the retirement age from 60 to 55. The problem is deeper and fundamental. It needs to be addressed in a holistic manner. The reducing of the retirement age has serious quiescence on the pension fund and it does not solve the problem of youth unemployment the number of beneficiaries will be insignificant.</p> <p>ii. diversify and professionalise previously unrecognised careers (e.g. Youth development work, paramedics, Arts and Creative Industries</p> <p>iii. Introduce Youth National Service program to instil a culture of patriotism and a sense of unity towards development and the love of one's country.</p> <p>iv. No Youth shall be employed in any sector without prior service in the Youth National Service Program</p> <p>v. A new companies Act should be enacted which will provide for lower charges for youth owned enterprises</p> | Policy Sound Macroeconomic policy which equates unemployment as a state of emergency and proposes a comprehensive response strategy | Ministries of Planning, Finance, Agriculture, Trade and Industry, Labour and Employment and Private Sector Ministry of Labour and Employment, ministry of Development planning, Ministry of Trade and industry | Medium Term | |

| 2. Lack of Career development and diversification within the public sector including parastatal | 1. There is no career planning and development strategy | i. Formulate career planning and development strategy ii. Implement alternative career streams, that is; segmented tracks (e.g. short term high risk-high return; long term-low risk –low return) to ensure smooth turnover of the human capital in the public service thus ensure absorption of youth in key public service position. | Administration | Ministry of Gender, Youth, Sport and Recreation | Medium Term |
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| 3. The young generation is yet to be prepared for the Fourth industrial revolution | 1. Currently there is no program which addresses this. | i. Have a contemporary system that will accommodate the fourth and subsequent industrial revolutions that links, education, labour and financing of national education and skills development programmes | Policy | Ministry of Education and Training | Medium Term |
| Strategic Priority Area: Develop Public Service Legal framework, Policies and strategies that addresses the inequalities in the employment and conditions of the persons with disabilities. | | | | | |
| Challenges | Current Status | Possible Solution | Type of Action | Implementation agency | Time Frame |
| Public sector legislations and policies are not inclusive of employees with disabilities | The current legislations and policies do not specifically address the employment needs of employees with disabilities. | i. Government must legislation a legal framework that enforce the implementation of the UN convention on the rights of persons with disabilities (CRPD) ii. Public Service must develop legislations and policies that inclusive of persons with disabilities. iii. Introduce and enforce the quota system for the employment of persons with disabilities in both private and public sectors to ensure that they are not left behind. | Amend the Public Service Act and Companies Act to include employment policies on persons with disabilities. | Ministry of Public Service; Ministry Social Development and ministry of Employment and Labour | Medium term |

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| | | <p>iv. The Equality Bill must be implemented to letter by all sectors both public and private</p> | | | |
| <p>Public Sector does not have strategies in place to ensure equality and non-discrimination for persons with disability to enjoy or exercise the equal human rights and fundamental freedoms; e.g. accessing employment, transportation, buildings and reasonable accommodation.</p> | <p>There are no specific strategies in place to address the inequalities of persons with disabilities in terms of enjoying the basic fundamental human rights of accessibility to education, transportation, buildings and employment</p> | <p>v. Develop specific strategies to address the inequalities of persons with disabilities in terms of enjoying the basic fundamental human rights of accessibility to education, transportation, buildings and employment</p> <p>vi. They should provide reasonable accommodation for employees with disabilities</p> | <p>Develop strategies that addresses the basic fundamental human rights of accessibility to education, transportation, buildings and employment</p> | <p>Ministry of Public Service; Ministry Social Development and ministry of Employment and Labour</p> | Medium Term |

| 2. Restricted Media Access to Crucial information from government | i. the Official secrets Act of 1967 ii. the Public Service Acts of 2005 Section 3 (2) (i) iii. the printing and Publishing Act 10 of 1967 | i. Repeal Section 4 the Official secrets Act of 1967 ii. Repeal Section 3 (2) (i) the Public Service Acts of 2005 iii. Repeal the printing and Publishing Act 10 of 1967 | | Ministry of Public Service And Cabinet Office | Medium Term |
|---|---|---|---------------------------|---|-------------|
| Strategic Priority Area: Improve the quality and accessibility of the education system | | | | | |
| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Frame |
| The kind of education provided by learning institution does not address employment needs | Many graduates are not employed due to lack of required skills by employment market. | i. The education Act should include the review of curriculum after every five years to ensure relevant education and skills required by the labour market. ii. Increase more technical colleges and improve the quality of programs and infrastructure of the existing Technical colleges. | Policy and Administration | Ministry of Education and Training | Medium term |
| The teachers strike continues to compromise the quality and system of education | Currently most schools are on go slow and in most cases the students are not taught and are left unattended. The teachers' moral is very low because they are unhappy with their working conditions | Government must speedily address the teachers' grievances and improve the working conditions of teachers. | Administration | Ministry of Education and Training | Short term |
| Government budgets cuts have compromised education quality delivery in church schools | i. Currently most of the church schools cannot afford to maintain qualified and best teachers because of the government budget cuts. ii. The government currently pays the salaries of the teachers in church schools iii. Lack of a general framework policy to assess and evaluate teaching and research activities | i. The government must own its obligations and make sure that all teachers in both church schools and government schools are treated equally. ii. Establish a clear memorandum of understanding between the churches and government on education and health issues. | Administration | Ministry of Education and Training | Short term |

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| | <p>iv. There are no workload standards in schools, colleges and universities this compromises the quality of education</p> | <p>ii. Develop a general framework policy to assess and evaluate teaching and research activities in schools and tertiary institutions</p> <p>iv. Develop a workload policy standards in schools, colleges and universities to improve the quality of education</p> <p>v. Vigorously reinforce the inspectorate system of schools</p> | | | |
| There is general deterioration of the infrastructure of all the learning institutions in country | <p>i. Currently the infrastructures of schools, colleges and universities are not maintained well.</p> <p>ii. There is no clear policy and formula to determine the allocation of subvention to tertiary institutions</p> <p>iii. Lack of national manpower development policy and plan</p> <p>iv. Libraries are currently not functioning and some district they are non-existent</p> | <p>i. Government must develop a clear policy and formula to determine the allocation of subvention to schools and tertiary institutions</p> <p>ii. All institutions of learning, (schools, colleges and universities) must have a five year implementable enhancement capacity plan</p> <p>iii. Develop a national manpower development policy and plan</p> <p>iv. Decentralise and capacity the national libraries in all ten districts and they require an independent and direct funding.</p> | Policy | Ministry of Education and Training | Short term |
| There is a need to establish a National Research Council (NRC) | Currently there is no National Research Council in the country | Establish a National Research council | Policy | Ministry of Education and Training | Short term |
| Inability to fully perform mandates by education agencies (Council on Higher Education (CHE), Examinations Council of Lesotho (ECOL) Technical and vocational Education (TVET) due to structural and funding problems | Already low budget has been further reduced, as a result CHE has had to raise quality assurance fees, and that crashes higher education institutions which themselves are already operating on very lean budgets. This depresses the higher education sub-sector because institutions cannot afford to introduce new programmes to address national needs. | <p>CHE should be elevated to be an independent body that reports directly to Parliament, similar to DCEO.</p> <p>More funding should be allocated to CHE so that it can be able to release the pressure on institutions by reducing the fees charged for quality assurance services including accreditation of programmes.</p> | Amend the Higher Education Act of 2004. | Ministry of Education and Training | Medium term |

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| | <p>Accreditation fees are among the highest in the SADC region.</p> | <p>CHE should be elevated to a budget line in the national annual budget such that it is allocated funds directly by Parliament.</p> | | | |
| | <p>Currently CHE does not have powers to terminate non-compliant/sub-standard programmes offered by institutions. Neither does it have powers to stop bogus institutions. It only recommends termination of programmes to the Minister, who in most instances does not act as necessary. Quality of higher education is compromised, and the public is therefore not protected from unscrupulous institutions. Ultimately Qualifications from Lesotho would not be recognised regionally and internationally.</p> | <p>CHE should be given full powers to deal with quality assurance in higher education i.e. to stop sub-standard programmes offered by institutions, and stop fly-by night/illegal institutions.</p> <p>The Ministry must be given appeal powers so that providers of higher education/ institutions can appeal to it when they are not satisfied with the work of CHE</p> | <p>Amend Higher Education Act of 2004 Section 5 (4)(e). to reflect the proposed solution.</p> | <p>Ministry of Education and Training</p> | <p>Medium term</p> |
| | <p>Currently TVD is a department of the Ministry of Education and Training and it hampers its operations, thus, it hinders it from realising its full potential of contributing to the economic needs of the country.</p> | <p>TVET should be granted operational autonomy to be able to implement its mandate fully and effectively.</p> | | <p>Ministry of Education and Training</p> | <p>Medium term</p> |

Strategic Priority Area: Harmonise Local Government laws and systems to improve relationships between the elected authorities and traditional authorities for improved service delivery

| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Frame |
|---|--|---|----------------|--|-------------|
| 1. Chiefs do not understand their roles, and powers as they are illiterate and innumerate | I. Chiefs succeed and assume office only by primogeniture. | The Chief's Children should go to school and should assume office on the completion of the minimum requirement of a Diploma in Public Administration and management | Legislation | Ministry of Local Government and Chieftainship Affairs | Medium Term |

| because Chiefs are not well trained | | The College of Chiefs has the responsibility of training and inducting new chiefs | | | |
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| Low remuneration of Chiefs leads to corrupt practices | Chiefs are divided into Area Chiefs, Chiefs and Headmen and are paid by the Ministry of Local Government and Chieftainship Affairs Currently communities cry of the mala-administration practises and corruption of chiefs | Chiefs should be considered as civil servants and should receive pensions Chiefs should be provided with appropriate working facilities | Administration | Ministry of Local Government and Chieftainship Affairs | Long term |
| Lack of representation of Chiefs makes them vulnerable as they do not receive legal representation when working in their official capacity | Chiefs have to fend for themselves and cater for their own representation even when they are to appear before the courts of law in thier official capacity | The government should provide legal representation should they be sued in their official capacity | Administrative and Legal Action | Ministry of Law and Constitutional Affairs/ Ministry of Local Government | Medium Term |
| | Many small civil cases are referred to Local courts leading to congestion which chiefs could deal with but they do not have authority to preside over such and causes a delays of justice. | Chiefs should trained and given the authority to preside over small civil and pet criminal matters in the villages. Only cases like murder should be taken to formal courts | Administrative/Legal Action | Ministry Local Government and Chieftainship Affairs/ Ministry of Justice and Human Rights | Medium Term |
| Strategic Priority Area: Improve and protect the conditions and rights of workers in the country | | | | | |
| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Frame |
| 1. Weak and ineffective Social Dialogue structures whose mandate thus far is advisory | Weak and ineffective Social Dialogue structures whose mandate thus far is advisory The Minister of Labour and Employment makes decisions where the tripartite bodies do not reach a decision | National Advisory bodies should be given the powers to make effective and binding decisions on critical labour matters | Legal action | Ministry of Employment and Labour Ministry of Law and constitutional Affairs | Medium Term |
| The labour laws have to conform to the times and incorporate new changes Out dated labour laws | The Labour Code Order No.24 of 1992 as well as Workmen's Compensation Act of 1977 are outdated | Labour Code Bill 2019 has to be passed into law There Workmen's Compensation Act 1977 have to be updated as well as the Workmen's Compensation Regulations 2014 to be compatible with developments | Legal action | Parliament Ministry of Law and Constitutional Affairs | Medium Term |

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| Poor law enforcement system on labour issues | Non enforcement of labour laws that does not even require third party intervention | Capacitate the Inspectorate division of the Ministry of Employment and Labour | Administrative action | Ministry of Employment and Labour | Medium Term |
| Strategic Priority Area: A well trained and effective public service | | | | | |
| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Frame |
| 1. Lack of job related and skills enhancement programme for different cadres of the Public Service the only exception being when Public Servants are stumbling over one another for per diem paying overseas training programmes | 1. Lack of familiarity with job requirements and performance expectations | <p>i. Government should review the current staff development policy with the aim of ensuring the implementation of career based training programmes and the patronage of domestic institutions</p> <p>ii. Government should implement its earlier directives on the transfer of the following: training institutions, National Health Training College, Lesotho Agricultural College, Lesotho Institute of Public Administration and Management, as per the Higher Education Act 2004 no 7.</p> <p>iii. Establish a Judiciary Training Institute</p> <p>iv. Restructure and transform LIPAM and similarly placed institutions to be autonomous like Institute of Development Management, Centre for Accounting Studies, Lesotho College of Education, Lerotholi Polytechnic.</p> <p>v. Construct a modern training facility that runs market-oriented courses for public and private sector</p> | Policy/Administrative action | Ministry of Public Service and Education and Training | Medium Term |
| | 2. Placement of unqualified people in positions that is warranting the exercise of judgement and mastery of management techniques. | i. Revise the Public Service Training policy to address shortage of management capacity, critical skills, talent management and building a cohort of qualified and competent public servants. | Policy | Ministry of Public Service | Medium Term |

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| | 3. Lack of leadership skills and vision to lead for enhanced performance and service delivery 4. Lack of relevant skills and competencies | i. Develop a curriculum that will address the skills required by both public and private sector ii. Train top and Senior management in strategic and change management and leadership for results | Administration | LIPAM | |
| 2. Shortage of efficient and effective administrative support staff across the Public Service | 37. Managerial incompetence declining agency performance and productivity | i. Develop capacity of both administrative and secretarial cadre ii. Restructure and reorganize both the administrative and secretarial cadres iii. Assess potential and suitability of current officers and redeploy appropriately iv. Computerise General Registry Offices v. Improve records management and maintenance Train and develop officers handling asset management, procurement, records management and public relations schedule | Administration | Ministry of Public Service | Medium Term |
| 3. Public service lacks professionalism | | | | | |
| 4. Lack of awareness of what constitutes corruption | 1. People do things before they realise that it is ethically improper | i. Incorporate ethical education and training in the curricula of training institutions ii. Re-introduce the teaching of religious Knowledge in schools | Policy | Ministry of Education and Training | Medium Term |

| Strategic Priority Area : Strengthening watchdog and accountability institutions | | | | | |
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| Challenges | Current Status | Possible Solution | Type of Action | Implementing Agency | Time Fra |
| 1.Imprecision in the mandate of the Cabinet office opening the door to politicisation and ineffective discharge of statutory responsibilities | 1. Currently the roles and functions of the Cabinet Office are not clear. This makes it difficult for office to be effective. | 1. To perform to the optimum level the Cabinet office must be restructured in such a way that it proves clear strategic leadership in its area of competence. | Administrative | Cabinet and Ministry of the Public Service | Long Term |
| 2Rising public spending and costs of governance | i. Members of Parliament get interest free loans and determine the own salaries and benefits | i. Establish an independent board (like a commission for revenue mobilisation and rationalisation) to determine the benefits of Members of Parliament ii. The loans given to MPs should be charged interest and they should be compelled to personally pay them back iii. PM and DPM should qualify for pension after five years of being in office iv. Per diems paid to Ministers and their entourage when travelling abroad should be reduced | Constitutional amendment | Ministry of Law and Constitutional Affairs | Long Term |
| 3General ineffectiveness of the Public Service Commission as a watchdog rules enforcements body | i. There is no harmonisation of PSC operations with those of the Ministry of the Public Service. It need be completely independent from Ministry of the Public Service's administration. eg. Staff recruitment, budget | i. The PSC should be fully autonomous. The appointment of Commissioners to be on merit. ii. The institutional and legal framework should be reviewed to accommodate envisaged changes. iii. Train and develop Public Service's commissioners iv. Commissioners must use the modern means of recruitment of using Competence Assessment (Psychometric Test). Best practices of fair, objective and transparent way of Recruitment. v. Public Service commission should include people with disabilities | Amend the Constitution/institutional reform and policy change | Ministry of the Public Service Ministry of Law and constitutional Affairs, and Public Service Commission. | Long Term |
| 4General ineffectiveness of other watchdog institutions | ii. Other watchdog bodies have not succeeded in coordinating their activities and combating corruption | | | | |

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| | <p>iii. Growing incidents of corruption</p> <p>vi. The Commission must be regulated by national legislation. The Commission must be accountable to the National Assembly.</p> <p>vii. Other organs of state, through legislative and other measures, must assist and protect the Commission to ensure the independence, impartiality, dignity and effectiveness. No person or organ of state may interfere with the functioning of the Commission.</p> | | | |
| 5. Increasing incidents of irregularities and inefficiency in utilisation of public funds due to a lot of Audit backlogs | <p>iv. Currently there is lack of accountability and inefficiency in the utilisation of public funds in the public service. The office of Auditor-General is under staffed and has budgets constraints, makes it unable to audit all clients within timeframes.</p> | <p>i. Establish the office of the Auditor –General as independent body that report directly to Parliament.</p> <p>ii. The appointment of the Auditor-General must be transparent like any other statutory positions</p> <p>iii. Strengthen the capacity of the Auditor – General’s office.</p> | Amend the Constitution | Ministry of Finance |
| | <p>v. Unpaid communities affected by Katse and Mohale dam developments are still not compensated</p> | <p>iv. Parliament must ensure that these communities gets compensated for their loss by implementing remedial action as recommended by the Ombudsman’s investigations report.</p> | Administration | Cabinet/ Parliamentary Affairs |
| <p>Strategic Priority Area : Eliminate and root out all forms of corruption tendencies in the public sector</p> | | | | |
| 1. Endemic corruption in the public institutions | <p>1. Currently there is no office of the Public Protector to safeguard ethical behaviour in the Public institutions.</p> | <p>1. Establish the office of Public Protector to deal with conduct of Public Institutions for accountable, transparent, customer – centred and user friendly services</p> <p>11. Enact a code of conduct for government leaders</p> | Policy/legal/Constitutional and administrative | Cabinet, Parliament |
| 2. Government employees compete for tenders with the rest of the public | <p>1. Government employees are not barred from having businesses.</p> | <p>1. Enforce the law prescribing conflict of interest</p> <p>11. Introduce tough measures against civil servants who breaks procurement laws</p> | | Long Term |

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| | 11.Every Ministry has its own Tender Panel to deal with procurement of goods and services | | | | |
| | Strategic Priority Area: Ensuring effective and sustainable implementation of reforms | | | | |
| 1. Half- hearted commitment to reforms and reluctance to implement needed changes | 1. Status quo prevails despite the reforms proposed at different stages in the past | i. Government should a will to implement and follow-up reforms which are designed to enhance its agents capacities to respond to on-going and unfolding challenges ruled out from time to time | Policy/Leadership | Prime Minister | Long Term |
| | | ii. The government must harmonise and review public service laws and regulations and ensure faithful implementation. | | | Long Term |
| | | iii. Review systems and policies governing the public service adopt and operationalize them | | | Long Term |
| 2. Overlapping mandates of Ministries and noticeable anomalies in their grading and salary structures | i. Conduct structural and ministerial realignment to link functions with resources and reduce number of ministries to 15 ii. Align and harmonise the civil service salary structure | iv. Restructure Ministries and departments, and re-align them to avoid overlapping and conflicting mandates | Administrative action | Ministry of Public Service | Long Term |
| | | v. Strengthen the independence of parliament and judiciary by staffing it with professionally qualified personnel | | | Long Term |

Recommendations

The Future Reform of the Public Service in the Government of the Kingdom of Lesotho:

In the light of the foregoing challenges and proposed possible interventions for sustainable future reforms, it has been found prudent and overarching to put the best interest of the people of the Kingdom of Lesotho first. We, collectively need to take a deliberate, decisive, and conclusive agreement on the national consensus of a new, citizen focused, batho pele governance and public administration principles and values. It is acknowledged that this is not a once off event but a process that needs collective approach and the commitment of all stakeholders. The following strategies are the overarching drivers of the new citizen focused batho pele governance and public administration principles and values; these will lead us to the desired “Public Service we want.”

- Forging national consensus on new, citizen-focused, Batho pele governance and public administration principles (Principles that are most likely to open a new and sustainable reform path).
- Transforming a politicised public service into a genuinely professional, ethical, merit-based, and result-oriented institution (Short- long term options)
- Inculcating a new service delivery culture (Short-term –long term options)
- Strengthening watchdog and accountability institutions
- Entrenching accountability and transparency via performance contracting, monitoring and evaluation
- Well-trained and effective public service
- Leveraging advances in ICT for improved service delivery
- Formulating a youth unemployment strategy
- Improve the working conditions and harmonise public services' remunerations and benefits across the civil service

- Develop Public Service Legal framework, Policies and strategies that addresses the inequalities in the employment and conditions of the persons with disabilities.
- Improve the quality and accessibility of the education system
- Harmonise Local Government laws and systems to improve relationships between the elected authorities and traditional authorities for improved service delivery
- Improve and protect the conditions and rights of workers in the country

The overall objective: Forging a National Consensus on a New Citizen Focused, Batho Pele Governance and Public Administration Principles

| Strategic Priority Area | Recommendations |
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| 1. A New Citizen Focused, Batho Pele Governance and Public Administration Principles- | <p>1. For reforms to be successful, there must be a national consensus from all stakeholders based upon a citizen centred, Batho Pele governance and public administration principles which embraces the following:</p> <ul style="list-style-type: none"> • Transform a politicised public service into a genuinely professional, ethical, merit-based, result-oriented institution, impartial, transparent, accountable and inclusive • create a good political climate where all political parties and civil society groups and private sector have a role and voice in shaping the success of the sustainable development |
| 2. Strengthening watchdog and accountability institutions | <p>2. There must be national consensus to strengthen weak oversight institutions with a view to engendering accountable and ethical democratic institutions that perform to their best and in the best interest of the citizens of the Kingdom of Lesotho</p> <ul style="list-style-type: none"> • Strengthen watchdog and accountability institutions to be effective, ethical and accountable, independent, impartial, and transparent in performing their oversight roles with required efficiency. • A public service that is committed to the principles of Accountability and transparency and recognises that public trust in public office requires high standards of public administration, and operates within a framework of mutual obligation and shared responsibility between public sector entities • A committed, effective, efficient and corrupt free Public Service which is driver by the concept of people centeredness in their endeavours • A public service that is transformed, at heart, mind, soul, attitude, highly ethical, patriotic, sense of duty to serve diligently. |
| 3. Inculcating a new service delivery culture (Short-term –long term options) | <p>3. There must be an agreement of what constitutes good service delivery from the current state where it is not documented and displayed for everyone to see it.</p> |

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| | <ul style="list-style-type: none"> • Inculcate a new service delivery culture that makes the service to be offered with explicit pre-determined benchmarks and standards in an environment that is predictable, accessible, dependable, reliable, affordable, quality-based, responsive, time-specific, whereby internal and external customers' expectations are met with ease. • . A public service that constitute a sharp instrument of the State with the public interest, ethics, integrity, discipline, expertise, professionalism, accountability, effectiveness, speed, accuracy, and respect for rules, regulations, procedures and rule of law. . • A public service that is driven by the principles of Integrity and impartiality; that accepts and value its duty to provide advice which is objective, independent, apolitical and impartial and committed to honest, fair and respectful engagement with the community. • A public service which is the centre of promoting the public good by valuing and seeking to achieve excellence in service delivery. |
| 5. Entrenching accountability and transparency via performance contracting, monitoring and evaluation | <p>4. Directionless public institutions often lead to stress and unnecessary intra and inter personal and institutional conflicts where efforts are not coordinated towards a common goal and inefficiencies ;</p> <ul style="list-style-type: none"> • Entrench accountability and transparency via performance contracting, monitoring and evaluation. This would foster a consistent, predictable, harmonious, out-comes based performance culture, clear and continuous communication and feed-back. • The Ministry of the Public Service needs to establish a department of Ethics and Integrity with an inspection functions to handle citizens' complaints about government procedures and quality of service delivery. |
| 6. Well-trained and effective public service | <p>Employees and Leaders who do not know what to do due to lack of skills, knowledge and abilities often offer poor services, quarrel more on non-issues, and are vulnerable to manipulation and abuse. Training and development policy if well implemented to adapt to changes in the environment. This also goes hand in hand with the efficiency of the local training institutions</p> <ul style="list-style-type: none"> • Well-trained and effective public service would bring about professional, accountable and ethical values, effectiveness, confidence, career management, out-comes based performance, financial prudence, and improved service delivery. • A well skilled and capacitated human resource base • A more comprehensive Public Service training policy that will enforce all levels of public servants to be trained on the proposed training programs. These trainings must be used as points units to qualify an officer to be promoted to move to the next level in his/her civil service career progression |
| 7. Leveraging advances in ICT for improved service delivery | <p>Taking advantage of advances in ICT use in service delivery brings about efficient outcomes for both internal and external customers with ease. Leveraging advances in ICT for improved service delivery.</p> |
| 7. Formulating a youth unemployment strategy | <p>Sound and efficient macroeconomic policies that are coupled with efficient private sector will significantly answer to this need.</p> <ul style="list-style-type: none"> • Administrative interventions of pegging a retirement age would bring about disastrous effects. • Formulating a youth unemployment strategy • Absorption capacity of the formal sector in terms of creating sustainable jobs. |

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| <ul style="list-style-type: none"> • Improve the working conditions and harmonise public services' remunerations and benefits across the civil service | <p>An established Independent professional body will fairly, transparently determine and harmonise the salaries and benefits of all civil Service and statutory positions;</p> <ul style="list-style-type: none"> • Fair review and allocation of appropriate salaries and benefits across the civil service will be enjoyed by all • Stability enhanced by elimination of disparities and anomalies in the civil service • Increased morale among the civil servants and elimination of envy and jealousy. |
| <ul style="list-style-type: none"> • Develop Public Service Legal framework, Policies and strategies that addresses the inequalities in the employment and conditions of the persons with disabilities. | <p>Development of policies and laws will advance and protect the rights of people with disabilities</p> <ul style="list-style-type: none"> • Improved working conditions for the disabled through the application of available policies and legislation. • Introduction of the quota system to safeguard employment of the disabled in the private sector and public sector will be guaranteed. • persons with disabilities will enjoy the basic fundamental human rights of accessibility to education, transportation, buildings and employment |
| <ul style="list-style-type: none"> • Improve the quality and accessibility of the education system | <p>Education is an enlightenment and liberating tool to any nation. It is therefore imperative to put premium on education in terms of financing it and making sure that programmes are relevant to the needs of the national and international market.</p> <ul style="list-style-type: none"> • Addressing the working conditions of teachers will stabilise the education system and enable to maintain the quality of education. • Strengthening the governance and financing of educational agencies will improve their performance on monitoring and evaluation of quality and standards of education • Accredited programmes will result in a well skilled human resources base which is appropriate for the market |
| <ul style="list-style-type: none"> • Harmonise Local Government laws and systems to improve relationships between the elected authorities and traditional authorities for improved service delivery | <p>Harmonisation of working relationships between the elected local authorities and traditional authorities will bring about positive changes in improving the service delivery to the community;</p> <ul style="list-style-type: none"> • Improved relationship will strengthen the commitment of both leaders to development and bring unity to the community • The chiefs and the elected local authorities will understand their roles and functions and work in harmony |
| Improve and protect the conditions and rights of workers in the country | <p>Improved labour legislation will bring about harmonious working relationship between employers, employees and the trade unions.</p> <ul style="list-style-type: none"> • Reviewed and updated labour laws will result in industrial peace while reducing the strikes and litigation • Strengthened tripartite structures to create a healthy working force • Offer the safety net or social protection for employees in the private Sector • Update and enforce the laws like the Labour Code Order no. 24 of 1992, Workmen's Compensation Act and Regulations, Occupational Health and Safety to maintain a safe and secure working relations. |

